officials. In like manner, our people have not been aware of the need to make their will known to their public servants. Our officials on all levels need new awareness of the need, and the enormous pool of latent support, which exists for cleanup.

A striking comparison is New York, whose fiscally responsible Governor rammed through a water quality program, probably better than that possessed by any other State in the Union, involving substantial State funding by loans and grants of municipal projects, and involving remarkable expansion of State enforcement powers. These programs passed the legislature unanimously and were adopted by the people of the State when presented to them by referendum with better than a 4 to 1 margin.

Certainly this shows the willingness of people to support proper action by States and municipalities for cleanup of our waters.

More immediately, a program of cooperation based upon mutual trust and common purpose between State, local and Federal Government is required.

Substantial expenditure of funds by State and local agencies will be required.

Increased funding on the Federal level is required. The $280 million for matching grants to States and communities for water pollution abatement works is less than half the amount needed. For this reason, last session I introduced legislation to increase Federal expenditures under Public Law 660 to $500 million and to increase fourfold the size of grants to communities.

The State of Michigan should be prepared to participate in the funding of local endeavors, and active consideration should be given to tax benefits for industrial waste treatment works by the State.

Secondary treatment plants should be regarded as mandatory for all municipal systems, except for the very small and isolated communities. High standards of treatment on a local and State level for septic tanks and similar private treatment works are a must.

Disinfection of municipal waste effluent must be practiced to reduce coliform densities to below 5,000 organisms per 100 milliliters. Combined storm and sanitary sewers must be prohibited in newly developed urban areas and eliminated in existing areas wherever possible. Urban renewal must be used as a vehicle for accomplishing this purpose. Alternative methods, less complicated and more economical than actual physical separation, are now being developed and should be applied as soon as they are successfully demonstrated.

State, county, and city officials should determinedly embark on a course of action to encourage combined treatment of municipal and industrial wastes in the same treatment plant. This spells economy of operation and savings for both the public and industry. Where industry locates on the city's environs, it will still pay the community to install an interceptor sewer to bring that industry's wastes to the city plant for treatment.

All new sewage facilities must be designed to prevent the necessity of bypassing untreated waters, something which is a major contributor to the pollution of the Detroit River.

The operation of waste treatment plants should be entrusted only to trained and skilled operators, who should be required to obtain state certification of their competency.

Great emphasis must be given to prevention of accidental spills of waste materials into Michigan's waters. Inplant surveys to prevent accidents should be utilized by State and local officials.

An appropriate system of reporting of unusual increases in waste output and accidental spills to the appropriate State and local agencies must be instituted. Use of waters of the State for disposal of trash, garbage, and other noxious refuse must be prohibited.

Existing dumps along the waters of our State must be eliminated. Industrial plants must be required to improve practices for segregation and treatment of waste to effect maximum reductions of acids, alkalies, tarry substances, oils, phenols, ammonia and nitrogen compounds, phosphorous compounds, and all other wastes with a special emphasis on oxygen-demanding substances.

Federal agencies must be forced to conform to high standards in the discharge of their wastes. The President has issued an Executive order which squarely places this requirement on all Federal installations. Federal water quality standards under the Federal statute just passed under sponsorship of Congressman BLATNIK, Senator MUSKIE and myself must be fixed at the highest feasible levels.

More adequate funding of State programs, and indeed of local programs, must take place to provide for an adequate ability to analyze, trace and prevent sources of pollution. More enforcement personnel on the State and local level must be available to combat pollution.

Since 1956 the Federal Government has increased its expenditures in all areas of water pollution almost sixfold and has assisted generously State programs for prevention of pollution and abatement of this terrible hazard. Communities have bettered this record, yet an enormous construction backlog remains. There is, as New York has shown, reason for State participation in funding projects.

Michigan and other States must have a more realistic system for appraising and reporting needed waste treatment facilities. For example, Michigan's three largest cities report needs for $98 million for construction; Detroit indicating needs of $45,300,000. On the other hand, the Conference of State Sanitary Engineers came up with a figure for the whole State of $4.7 million. The Public Health Service Conference on cleanup of the Detroit River estimates Detroit's needs for secondary treatment to be on the order of $500 million; whereas, the Detroit Water Board says that secondary treatment alone, which is badly needed on the Detroit River, will cost $750 million. It appears that some better way of reporting present and future needs must be devised.

A Senate committee study will shortly show National and State needs and expenditures are vastly larger than any present source indicates.

Local officials must insist on this adequate reporting to enable enactment of adequate State and Federal aid programs.

All State and municipal agencies must require sewerage or water use charges sufficient to finance construction and operation of adequate collection and treatment works.

The Federal Government has been drawn into water pollution abatement by failure of the States to preserve our waters and to abate pollution. If the several States, Michigan included, intend to preserve their ancient right and responsibility in water quality control they must display new vigor and effectiveness.

There must be a full understanding that there is place for Federal, State, and local activity in pollution abatement. The Federal Government neither desires nor has the ability to handle every single source of pollution and every improperly managed and operated cesspool and industrial or municipal treatment works. If the States and communities will accept the invaluable skills and tremendous resources of the Federal Government; if they will support Federal activities to abate pollution by understanding it is a cooperative endeavor; and if they will carry out their own great responsibilities in this area; prospects are good that when we see "water wonderland" it will mean just that, not only for Michigan, but for all America.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 17, 1966

The House met at 12 o'clock noon.

Dr. James P. Wesberry, D.D., pastor, Morningside Baptist Church, Atlanta, Ga., offered the following prayer, prefacing it with these words of Scripture: *God is our refuge and strength. Therefore will not we fear, though the earth be removed, and though the mountains be carried into the midst of the sea.*—Psalms 46: 1–2.

O God, our Father, in this day when earth's foundations shake, help us to put our trust in Thee. Forbid that the stress and strain of life should break our spirits. Grant us, we pray, the forgiveness of sin and renewal of faith we need to be more than conquerors over the evils of the world. In all of life's frustrations restore to us the confidence that Thou art ever at work seeking to bring this world to the glorious fulfillment of Thine eternal purpose.

We bring to Thee, our Father, those who hold high the banners of our Nation. We remember the President of the United States, those who work faithfully by his side, the distinguished Speaker, the beloved Chaplain, the gracious Doorkeeper, each and every Member of this illustrious body, the Members of the Senate, all who serve in the military, and all others who share in the responsibility of guiding our national affairs. Give, we humbly ask, wisdom, insight, and courage to our statesmen. May all that makes life nobler and finer inspire their counsels and govern their decisions.

We commend to Thy gracious care all who fight for the freedom and peace of the world on the battlefields of Vietnam. Overshadow, keep, and give them confidence that Thou, Eternal God, art their refuge and strength.

Bless, we beseech Thee, all who out of the bitter memories of war, are captured by a vision of world peace. May Thy Holy Spirit work among the leaders of the nations that they may find with all possible speed the way of peace without the shedding of blood and the horrors of war. Through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a resolution, as follows:

S. RES. 225

Resolved, That the Senate had heard with profound sorrow the announcement of the

death of Hon. Albert Thomas, late a Representative from the State of Texas.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the Part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 66–11.

CELEBRATE 48TH ANNIVERSARY OF LITHUANIA'S INDEPENDENCE

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, we are celebrating here today the 48th anniversary of the day, after the end of World War I in 1918, when the ancient and proud people of Lithuania reclaimed and declared again their independence as a nation.

It was a time of the breaking of obsolete empires and of the rearranging and reasserting of sovereignty under the principle of self-determination. Four new nations—but nations that were also old in the sense of prior history—found the path of liberation open and declared themselves free and independent during this period when Austria-Hungary was breaking up and when the Communist heirs of the czars were first making deals with Germany and then making war against the treaties reflected in the deals.

The other nations of northeastern Europe that found a new birth of freedom were Poland, Latvia, and Estonia. The fourth was Lithuania, which adequately proclaimed its independence on February 16, 1918.

Lithuania had centuries of freedom behind her, and then experienced generations of occupation and captivity, before her new proud moment in 1918.

The independence of Lithuania—the rebirth—did not exist permanently, but merely for a short span. Another war, another jousting between the Soviets and Hitler's Nazis, trapped Poland and the Baltic States between great powers. The Hitler-Stalin pact divided Poland, and the Red army moved into the Baltic States.

The Red army is still there.

It is perfectly natural, however, that those of Lithuanian birth or ancestry in this country take the time and the trouble to recall that during this 20th century, troubled though it has been, their own native land had a fleeting experience again with the pleasures of total independence. It was only between wars—but while it was there, they drank the wine of freedom.

They hope to drink the wine of freedom again. They hope to see the land of their fathers independent and sovereign again. And so do we all, I am sure, wish to see independence and sovereignty in Lithuania, the other Baltic States, and all the other captive nations of Eastern Europe.

TRANSFER OF SPECIAL ORDER

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that my special order, scheduled for Friday, February 18, be transferred to Monday, February 21.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

A HEARTY LAUGH FROM THE WASHINGTON POST

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, an editorial in the Washington Post on Tuesday, February 8, which was in exploitation of one of the facets of its leftist philosophy, provided me such a good laugh, that I would like to insert it here in the RECORD for everyone to enjoy.

The title of the editorial was "Experiment in Housing," and it propounds the need for public housing here in Washington. As we all know, the Post is in favor of any project that is paid for by the Federal Government and given to the public. This is true to their belief in the welfare state as being the utopian life.

The amusement in the editorial is found in their admission that private enterprise can build these welfare houses at a cost of $2,000 per unit less than the Federal Government can. They say also that private enterprise can do the job in 14 months whereas it would take the Federal Government 4 years. If there has ever been two better arguments for getting the Federal Government out of this business and turning it over to private enterprise and to the people, I have never heard them.

Until I hear that this bewildered editorial writer has been forgiven this slippage in logic and I am assured that he will not be out of a job because of it, I will worry about him.

Here is the editorial in question:

EXPERIMENT IN HOUSING

This city cannot afford the traditional procedures for building public housing. They are too slow and too costly; the demand for these homes is urgent. The National Capital Housing Authority has once again shown itself ready to experiment, and once again the city will benefit from its initiative.

A new block of public housing for the elderly is to be built at 12th and M Streets NW. To follow the usual administrative routes would consume about 4 years. But the Authority can get the project within perhaps 14 months if it lets a private builder do the work, and then buys the finished building from him. The Authority also expects to save perhaps $2,000 per unit by this method. This innovation deserves the wholehearted encouragement of the city.

The Authority cannot, of course, stop there. Housing the elderly is the least difficult of its many responsibilities; the most difficult is to help the families with many children. Apartments for large families are expensive to build, and wise policy does not permit them to be built in large concentrations. The families who inhabit them usually require other social services as well. Housing for the elderly is needed in Washington, but other kinds of housing are needed even more desperately. The Housing Authority's latest departure will be particularly welcome if it leads to similar ventures in providing homes for families with children.

COMMITTEE ON ARMED SERVICES

Mr. HARDY. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight tomorrow night to file a report on a supplemental authorization for the Department of Defense.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

BOYCOTTING RHODESIA

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the friendly Government of Rhodesia has been made the victim of an outrageous boycott by the Government of the United States. It is an action taken jointly with the leeching British Government which seeks to destroy the existing Rhodesian Government because it has declared its independence.

Last summer, Congress amended the Export Control Act of 1949, and among the amendments was this:

> The Congress further declares that it is the policy of the United States (A) to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States and (B) to encourage and request domestic concerns engaged in the export of articles, materials, supplies, or information, to refuse to take any action, including the furnishing of information or the signing of agreements, which has the effect of furthering or supporting the restrictive trade practices or boycotts fostered or imposed by any foreign country against another country friendly to the United States.

Mr. Speaker, President Johnson's boycott of Rhodesia is a moral, if not legal, violation of the Export Control Act, and it is clearly a slap in the face to Congress.

How much longer will Congress spinelessly permit itself to be trampled upon by the President and his stooges in the State Department? When do the proper committees and Members of Congress intend to meet this challenge?

Contrast this to the lack of action in stopping British shipments to Communist Vietnam and to Communist Cuba.

IN SUPPORT OF THEIR COUNTRY

Mr. CALLAWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CALLAWAY. Mr. Speaker, during recent weeks it has been my pleasure to bring to the attention of Congress the deeds and acts of patriotic men and women in support of their country. I have done this, because I am concerned by the fact that while anti-American demonstrations receive wide publicity, those who truly offer their support and service to our Nation go virtually unnoticed.

In recent weeks I have told of such patriotic Georgia projects as Affirmation Vietnam, Vietnam Mail Call, and have presented various petitions that have been sent to me in support of our efforts against communism in Asia. Today I insert in the RECORD a statement from American Legion, Capitol View Post No. 161, as well as a statement from the Fourth Ward Improvement Council, both of Atlanta, Ga., and both of which show—better than I—the true feelings of Americans in support of their country.

RESOLUTION BY AMERICAN LEGION, CAPITOL VIEW POST NO. 161

Whereas the United States of America and the people thereof are engaged in conflict with Communist forces in Vietnam; and

Whereas the members of the Armed Forces of our Nation are giving their lives in said conflict to protect their homeland; and

Whereas it is the duty of every citizen of every political opinion to avoid giving aid and comfort to the forces in conflict with our Nation; and

Whereas the giving of aid and comfort to the enemy forces has in recent events been dramatized by such activities as draft-card burning, so-called Vietnam peace demonstrations, attempts to block troop trains, statements placing the blame for the conflict on the United States of America, and statements in support of those seeking to avoid military service; and

Whereas this activity not only gives aid and comfort to the enemy but also causes lowering of morale of the members of the Armed Forces who are fighting for our freedom and the freedom of the people of Vietnam: Be it therefore

Resolved, That the Capitol View Post No. 161, in meeting assembled at Atlanta, Ga., do deplore this lack of patriotism on the part of a small element in this Nation; and be it further

Resolved, That we believe that this lack of patriotism is evidence of communistic influence over the groups and individuals engaging in these activities; and be it further

Resolved, That we respectfully request a complete investigation by appropriate committees of the Congress of the United States into the probable communistic influence over these individuals and groups, for the purpose of determining the extent of Communist leadership and source of financing; and be it further

Resolved, That the participants in these activities should not be allowed to hold Federal or State office either through employment, appointment, or election; and be it further

Resolved, That we respectfully request legislation by the Congress of the United States and the General Assembly of Georgia to prevent these individuals from holding any Federal or State office, however obtained; and be it further

Resolved, That a copy of this resolution be spread on the minutes of this meeting, with a copy going to each Member of the Congress from the State of Georgia and to each member of the General Assembly of Georgia, and to the news media, and to the fifth district, the American Legion, Department of Georgia.

Approved this 11th day of January 1966.

JOHN D. BARRETT,
Commander.
GEORGE D. COLEMAN, Jr.,
Adjutant.

RESOLUTION OF FOURTH WARD IMPROVEMENT COUNCIL

Whereas it is the duty of every American to give loyal support to the forces of his Nation when they are engaged in armed conflict with foreign forces; and

Whereas this duty crosses all lines of political opinion; and

Whereas the members of this association are dedicated to good citizenship: Be it therefore

Resolved, That we, the members of the Fourth Ward Improvement Council, in meeting assembled, do hereby go on record as pledging our loyal support to our Nation in its conflict with the Communist outlaws of Vietnam, and to further urge all our fellow citizens of the area we seek to serve to do likewise; and be it further

Resolved, That this resolution be signed by the officers of this council, and copies sent to the Members of Congress from Georgia and to the news media.

A. S. ADAMS,
President.
W. E. KING.
JOHN L. NORMAN.
DAVID C. WILBANKS.
ROWENA W. PHILPOT.
MARY M. STEPHENS.

COMMITTEE ON RULES

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

ACTION TO REVITALIZE OUR GREAT CITIES

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, President Johnson has called for a concerted, massive, national effort against blight, poverty, and physical decay in our great metropolitan cities. He has proposed a bold plan to uproot the causes of physical decay and human degradation and to help our great cities realize their full potential of a decent and wholesome life for all the people who reside therein.

Yesterday, I had the pleasure of hearing Secretary of Housing and Urban Development, the Honorable Robert C. Weaver, outline the administration's plan of attack to realize those goals. It calls for the harnessing of public and private resources and programs, Federal, State, and local, to the concerted effort which must be initiated by local authorities but which the Federal Government will support and stimulate to a successful conclusion. To launch this new effort on the solid foundation it merits, requires new legislation.

Today I have introduced a bill, H.R. 12888, in support of this effort to restore and revitalize our great cities.

LEGISLATIVE PROGRAM FOR BALANCE OF THIS WEEK AND FOR THE WEEK OF FEBRUARY 21

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I ask for this time for the purpose of inquiring of the distinguished majority leader as to the schedule for the remainder of this week and the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman yield to me?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we have no further business for this week. It will be our purpose to ask to go over until Monday when I have announced the program for next week.

The program for Monday is as follows: Monday is Consent Calendar day. We have no suspensions.

Tuesday there will be a reading of George Washington's Farewell Address.

Wednesday and the balance of the week: H.R. 12752, the Tax Adjustment Act of 1966, and following that act the supplemental defense authorization for fiscal year 1966 and the supplemental foreign aid authorization for fiscal year 1966. The reports on these bills have not been filed, and I make this announcement subject to that contingency and subject to the further contingency, of course, that rules are granted in time to have them called up next week.

Also, next week, S. 1666, to provide for additional circuit and district judges and for other purposes, will be considered under an open rule with 1 hour of general debate.

Mr. Speaker, this announcement is made subject to the usual reservations that conference reports may be brought up at any time, and any further program may be announced later.

Mr. GERALD R. FORD. Is it true that the Committee on Rules has reported out a rule granting 4 hours of general debate on the Tax Adjustment Act of 1966?

Mr. ALBERT. Mr. Speaker, if the distinguished gentleman will yield further, the gentleman is correct. I believe the gentleman from Mississippi [Mr. COLMER] has just received permission to have until midnight tonight to file a report from the Committee on Rules, and I anticipate no difficulty in having that matter considered as the first order of business on Wednesday.

Mr. GERALD R. FORD. The other two bills, the supplemental defense authorization for fiscal year 1966, and the Supplemental Foreign Aid Authorization Act for fiscal year 1966, have been reported out of the legislative committees. Do we understand that a rule will be sought in each case and that the legislation will be programed, if the Committee on Rules does grant the rule in each instance?

Mr. ALBERT. May I say that the gentleman is correct. However, the reports have not been filed on those bills. Of course, the granting of the rule will be contingent upon the reports getting to the Committee on Rules on time.

Mr. GERALD R. FORD. It is anticipated, then, that we will meet Wednesday, Thursday and probably Friday, of next week in order to carry out the schedule which has just been set forth?

Mr. ALBERT. The gentleman is correct.

The gentleman from Virginia [Mr. HARDY] advises me—and I did not hear the request—that he does have permission to file the report on the defense supplemental bill until tomorrow night. So we anticipate no problem in having that bill ready to go to the Committee on Rules next week.

Mr. GERALD R. FORD. Mr. Speaker, I thank the distinguished majority leader.

ADJOURNMENT OVER UNTIL MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule may be dispensed with next week.

Mr. SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FEDERAL COMMUNICATIONS COMMISSION POSITION ON REGULATION OF ALL CATV SYSTEMS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, no doubt in recent weeks the Members of the House of Representatives have received numerous letters, telegrams, and personal visits from community antenna television—CATV—system operators, their subscribers, and their trade association representatives, and also from broadcasters and their trade association representatives with regard to impending regulatory actions by the Federal Communications Commission involving the imposition of limitations on the carrying of television programs by CATV systems.

Most likely the CATV representatives have argued that the Commission at present has no statutory authority to impose these limitations and that their imposition will deprive CATV subscribers of free choice of television programs which they have enjoyed heretofore. Broadcasters, on the other hand, are likely to have argued that the Commission does have the necessary statutory authority and that unless the contemplated regulatory steps are taken by the Commission, the present pattern of local broadcast stations serving their respective communities will be replaced by a system under which the programs of a few metropolitan stations will be made available by cable to listeners who will have to pay for the privilege of seeing these programs. Rural television viewers would then be left without any television service.

The committee has been following closely the vigorous competitive struggle that is now being waged by CATV operators, broadcasters, and their respective national trade organizations. The committee is aware that as seen by CATV and broadcast interests, the impending regulatory actions of the Commission will greatly affect the competitive positions and economic prospects of CATV operators and broadcasters.

Last Monday, February 15, the Commission announced that after meetings held February 10, 11, and 14, it had reached agreement on a broad plan for the regulation of community antenna television systems, including a legislative program. The details of the plan are contained in a public notice which I am inserting in the RECORD following my remarks so that Members of the House will be fully apprised of what the Commission contemplates.

On Monday the House Committee on Interstate and Foreign Commerce had before it the Commission for a 3-hour discussion of what the Commission is proposing to do in this field. In addition to Chairman Henry, all other members of the Commission with one exception were present as well as a number of the Commission staff.

It is clear from the discussion had at this meeting that in spite of the representations which may have been made generally and specifically to Members of the House in the past few weeks, the Commission has no intention to cut out service anywhere and fully intends that existing programs on which customers of antenna systems have come to rely fully should be retained. There is only one possible exception to this and that is the system must carry a local television station where the station is truly local but this would not seem generally to have any effect on the ability of the system to continue existing programs. Other than this possible exception there will be no disruption.

The Commission order in this area has not yet been drafted and it will be some days before an order can be promulgated and published in the Federal Register. It could not then become effective in a period less than 30 days. At the very best then it would be some days before the Commission's proposal can go into effect.

In the meantime the Commission, in accordance with its discussion with the committee, will have prepared and transmitted to Congress its legislative recommendations to carry out this program, which it has undertaken to do within 2 weeks. Following receipt of these recommendations this committee promptly will schedule hearings so that there will be adequate opportunity for all to be heard and for the committee to review all aspects of the problem.

Mr. Speaker, the Commission is sending to the Congress proposed legislation within the next 2 weeks, and the Committee on Interstate and Foreign Commerce will immediately hold hearings on this proposed legislation. The entire subject will be fully aired, and then appropriate action will be taken.

The public notice referred to is as follows:

FCC ANNOUNCES PLAN FOR REGULATION OF ALL CATV SYSTEMS

(Federal Communications Commission Public Notice G, February 15, 1966)

Following meetings held February 10, 11, and 14, the Commission has reached agreement on a broad plan for the regulation of community antenna television systems, including a legislative program. To insure the effective integration of CATV with a fully developed television service, the new regulations will apply equally to all CATV systems, including those which require microwave licenses, and those which receive their signal off the air. Excluded from these rules will be those CATV systems which serve less than 50 customers, or which serve only as an apartment house master antenna. The CATV rules concurrently in effect for microwave-fed systems will be revised to reflect the new rules adopted for all systems.

Coupled with the new CATV rules, to be incorporated in a report and order shortly to be issued, the Commission will send recommended legislation to Congress to codify and supplement its regulatory program in this important area.

The Commission's new CATV program includes eight major points:

Carriage of local stations: A CATV system will be required to carry without material degradation the signals of all local television stations within whose Grade B contours the CATV system is located. The carriage requirements thus made applicable to all CATV systems will be substantially the same as those applied to microwave-served systems by the Commission's first report and order in Dockets 14895 and 15233, adopted in April 1965.

2. Same-day nonduplication: A CATV system will be required to avoid duplication

of the programs of local television stations during the same day that such programs are broadcast by the local stations. This nonduplication protection, as under existing rules, will apply to prime-time network programs only if such programs are presented by the local station entirely within what is locally considered to be prime time. It will also give the CATV subscribers access to network programs on the same day that they are presented on the network. Nonduplication protection will not be afforded to programs which are carred in black and white by the local station and are available in color from a more distant station on the CATV system.

The new nonduplication rules thus embody two substantial changes from those adopted in the first report and order. First, the time period during which nonduplication protection must be afforded has been reduced from 15 days before and after local broadcast to the single day of local broadcast. Second, a new exemption from the nonduplication requirement has been added as to color programs not carried in color by local stations.

3. Private agreements and ad hoc procedures: The Commission will continue to give full effect to private agreements between CATV operators and local television stations which provide for a different type of degree of protection for the local station than do the Commission's rules. Moreover, the Commission will give ad hoc consideration to petitions from local television stations seeking a greater degree of protection than provided by the rules, or from CATV operators seeking a waiver of the rules.

4. Distant City Signals—New CATV systems in the top 100 television markets: Parties who obtain State or local franchises to operate CATV systems in the 100 highest ranked television markets (according to American Research Bureau (ARB) net weekly circulation figures), which propose to extend the signals of television broadcast stations beyond their grade B contours, will be required to obtain FCC approval before CATV service to subscribers may be commenced. This aspect of the Commission's decision is effective immediately, and will be applicable to all CATV operation commenced after February 15, 1966.

An evidentiary hearing will be held as to all such requests for FCC approval, subject of course, to the general waiver provisions of the Commission's rules. These hearings will be concerned primarily with (a) the potential effects of the proposed CATV operation on the full development of off-the-air television outlets (particularly UHF) for that market, and (b) the relationship, if any, of proposed CATV operations and the development of pay television in that market. The hearing requirement will apply to all CATV operations proposed to communities lying within the predicted grade A service contour of all existing television stations in that market.

Service presently being rendered to CATV subscribers will be unaffected. However, the Commission will entertain petitions objecting to the geographical extension to new areas of CATV systems already in operation in the top 100 television markets.

5. Distant City Signals—New CATV systems in smaller television markets: The Commission's prior approval after an evidentiary hearing will not be required by rule for proposed CATV systems or operations in markets below 100 in the ARB rankings. However, the Commission will entertain, on an ad hoc basis, petitions from interested parties concerning the carriage of distant signals by CATV systems located in such smaller markets.

6. Information to be filed by CATV owners: Pursuant to its authority under section 403 of the Communications Act, the Commission will, within an appropriate time to be prescribed, require all CATV operations to submit the following data with respect to each of their CATV systems: (a) The names, addresses and business interests of all officers, directors, and persons having substantial ownership interests in each system; (b) the number of subscribers to each system; (c) the television stations carried on each system; and (d) the extent of any existing or proposed program origination by each CATV system.

7. Assertion of jurisdiction: To the extent necessary to carry out the regulatory program set forth above, the Commission asserts its present jurisdiction over all CATV systems, whether or not served by microwave relay.

8. Legislation to be recommended to Congress: The Commission will recommend, with specific proposals where appropriate, that Congress consider and enact legislation designed to express basic national policy in the CATV field. Such legislation would include those matters over which the Commission has exercised its jurisdiction, as well as those matters which are still under consideration.

Included in these recommendations will be the following:

(a) Clarification and confirmation of FCC jurisdiction over CATV systems generally, along with such specific provisions as are deemed appropriate.

(b) Prohibition of the origination of program or other material by a CATV system with such limitations or exceptions, if any, as are deemed appropriate.

(c) Consideration of whether, to what extent, and under what circumstances CATV systems should be required to obtain the consent of the originating broadcast station for the retransmission of the signal by the CATV system.

(d) Consideration of whether CATV systems should or should not be deemed public utilities. In this connection, Congress will be asked to consider the appropriate relationship of Federal to State-local jurisdiction in the CATV field, with particular reference to initial franchising, rate regulation, and extension of service.

The Commission, of course, stands ready to discuss all of the above matters with the appropriate congressional committees at any time.

STATEMENT OF COMMISSIONER ROBERT T. BARTLEY

I cannot agree that the Communications Act confers jurisdiction over CATV; however, I endorse legislation which would prohibit a CATV system from originating program matter.

SEPARATE STATEMENT OF COMMISSIONER KENNETH A. COX

I concur fully in those portions of the Commission's action in which it (1) asserts jurisdiction over all CATV operations, (2) requires carriage of local stations on CATV systems, (3) provides for expedited ad hoc procedures for the consideration of special relief requested either by broadcasters or CATV operators, (4) requires disclosure of information as to ownership of CATV systems and certain other matters, and (5) calls on Congress to give prompt consideration to the problem of integrating CATV operations into our overall television system, with particular attention to the questions of program origination by CATV systems, possible extension of the principle of rebroadcast consent, and overlapping jurisdiction with the States.

As to the balance of the action taken. I agree with what is done but believe it falls far short of protecting the public interest in an expanding television service. I agree that local stations should not have their programs duplicated, but believe that the protection afforded them is totally inadequate. As to network programs, they should be accorded exclusivity—that is, should not be duplicated—as to all programs which they propose to present in a comparable time period within 15 days.[1] This Commission found in the first report that, for cogent reasons, delayed nonduplication served the public interest. (See pars. 101–127, 38 FCC at 721–731.) But the majority new cuts back on such delayed nonduplication to a single day. This 1 day protection is patently inadequate as to network programing (see first report, par. 125, 38 FCC at 730, where it is pointed out that only 10.2 percent of local stations' delayed broadcasts are delayed less than 1 day, with roughly 79 percent being delayed between 1 and 15 days). As to nonnetwork programs, the majority previously pointed out that such material was not distributed on a simultaneous nationwide basis and that, therefore, a 15-day protection was "clearly a minimal measure of protection against the duplication of syndicated or feature film programs, considering the extended periods—up to and exceeding 5 years—for which stations now bargain and obtain exclusivity in relation to such programs."

As to feature film, syndicated series, and other filmed or taped programing for which they have acquired local exhibition rights, they should be assured the right of first run—which is only one of the rights normally bargained for, but certainly the most important one. I realize that this is more protection than was proposed in this proceeding, but since I feel this would be necessary to assure the station of the most important of the program rights it has acquired as against prior exhibition by an entity which has acquired no rights at all, I certainly cannot agree with the majority's refusal to recognize any rights as to such programing. Some nonsimultaneous nonduplication is necessary to afford local stations sufficient flexibility to provide the best possible service to those viewers who do not subscribe to the cable service.

Similarly, I agree that some measures are needed to curb the indiscriminate extension of television signals by CATV systems. Section 303(h) of the Communications Act gives us clear authority to establish zones or areas of service for broadcast stations. In television, I think we have undertaken to do this by establishing a carefully designed channel allocation and by fixing maximum limits on heights and powers. While there are many situations in which deficiencies of service can and should be corrected by supplemental means such as CATV, satellites, and translators, I do not believe that any of these auxiliary services should be permitted to disrupt the basic television system that Congress, the Commission, and the broadcasters have worked so hard to establish.

The majority contents itself with saying that it will carefully examine proposals to provide CATV service in the top 100 television markets. I would greatly prefer an approach which would bar new systems—for a specified period—from extending a station's signal beyond its grade B contour, except upon authorization by the Commission in certain carefully defined situations. I believe this is necessary to stem the current proliferation of CATV systems in areas already receiving substantial television service. Without such action, I am afraid that CATV—a supplemental and derivative service—will stunt the future growth of our free television system, and perhaps even impair the viability of some of the service which the public is now receiving.

It is all very well to study the problems posed by CATV's threatened invasion of the major markets. It is true that the most immediate hopes for expanded UHF service are centered there, and that the risk of

[1] I agree that as to network color programs the local station should not be protected unless it will present them in color.

CATV operators' building a pay television system on the basis of signals appropriated from the broadcasters who now provide our free service is greatest there. But if we turn our backs on the smaller markets by assuring cable operators that they can pump in multiple competing signals from New York and Los Angeles unless a local broadcaster can prove that he will be driven out of business, I think we are on the way to substituting a shrinking for an expanding system, with an artificial ceiling on network and local service alike—all in the name of a multiplicity, if no real diversity, of service for a part of the public. I am afraid we may end up with a shrunken, substantially wired pay service for the majority of the public, and a really vestigial system for those who cannot afford, or cannot be provided, this service.

I am not comforted by the majority's confidence that it would reverse such a trend if it really became a clear threat. The Commission does not have a good record for taking such drastic measures—in fact, I think much of my colleagues' reluctance to take more meaningful action now stems from fear of disrupting the existing service of a rather small number of CATV subscribers who have been galvanized into pressuring Congress and the Commission by a campaign of outright misrepresentation by the CATV industry. If this bothers them, what likelihood is there that they will ever roll back any part of the greatly expanded CATV operations which I think their actions will bring into being? New York City signals have already been carried to points near the Ohio border, and service from Los Angeles is proposed for Oklahoma and Texas. Once such service is instituted, I am afraid it is impossible to roll it back. I think the majority itself recognizes this problem, as is indicated by the fact that in the release announcing their action they twice very carefully point out that service now being rendered to CATV subscribers will be unaffected by what they are doing.

I do not mean to suggest that I know or can prove that the consequences I fear will actually result—though I think my concerns are shared by many leaders of the broadcast industry, by certain organizations which represent elements of the public who stand to be disadvantaged by increased reliance on wired television, and by other interested and informed parties. But on the other hand, my colleagues cannot prove that my fears are groundless. My approach would not impair the viability of existing cable systems and would not bar all further extension of CATV service. But it would confine such service to its proper supplemental role in areas which receive substandard over-the-air television for a limited period—say 5 years. That would give Congress and the Commission time to study the whole problem further, would permit continued UHF development, and would, hopefully, permit resolution of the copyright questions which are basic to the future of CATV.

By not taking the admittedly more rigorous course which I favor, the majority has, I believe, invited developments which may make further study futile, may stifle UHF development which otherwise would have occurred, and may make it politically difficult, or even impossible, to adhere to normal copyright principles. I do not think that the benefits it is claimed CATV will bring are worth the hazards to our television system created by the limited action here taken by the majority. If there is one thing that even critics of the Commission concede it is that this agency was created for the purpose of allocating communications facilities. Both sections 307(b) and 303(h) of the Communications Act make this clear. I think the majority is simply refusing to discharge this responsibility. Now is the time to take hold of the problems posed by the explosive development of the CATV industry and to fit cable operations into an appropriate place in the overall television structure. I think we are at a real turning point as far as the development of American television is concerned—and I think the majority has taken the wrong direction.

STATEMENT OF COMMISSIONER LEE LOEVINGER REGARDING FCC CATV PLAN

The analysis of jurisdiction set forth in my prior opinion in this proceeding (38 FCC 683, 746 (1965)) still represents my view. The significance of that analysis and its divergence from the course now adopted by the Commission need no elaboration. On the other hand, the substantive position now adopted by the Commission seems to me to be a moderate and reasonable compromise of conflicting views and positions, and the Commission now recognizes the desirability, if not necessity, of requesting Congress to legislate on jurisdiction and other important aspects of this subject. In these circumstances I think it is more constructive and useful to support affirmative action by the Commission, leaving the jurisdictional issue to be decided by Congress and the courts, rather than stand on legalistic grounds or inflexibly insist on complete adoption of my own ideas. Accordingly, with a dubitante recorded as to jurisdiction, I concur in the plan now approved by a majority of the Commission for regulating community antenna television systems.

REA LOANS

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 30 minutes.

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, my remarks here today concern an unconscionable, illegal act by a Government agency.

In our proper concern with the difficulties that beset our Nation in Vietnam, we must not permit our attention to be diverted from the domestic scene. If we are to maximize our effort against the Vietcong, at one and the same time we must sharpen our vigilance at home.

I realize, too, that our President carries arduous burdens. One would think that the least he could expect from his official family is scrupulous adherence to the law at all times. Nevertheless, a member of his administrative family has committed a clearly illegal act involving the expenditure of $22,800,000 of the taxpayers' money.

The man who is guilty of this act is the REA Administrator.

I realize that anything said about REA may evoke a partisan response. If so, it has no place in the discussion which follows, for I address myself to the stanchest supporter of the Rural Electrification Administration on whatever side of the aisle he may sit. The more any person supports REA, the stronger must be his condemnation of the Administrator's action, for to support the Administrator in this instance is to support an act of illegality.

On Monday, February 14, the Supreme Court of Colorado handed down a decision of great importance to the Nation's taxpayers and to those of us who are concerned about any disrespect for and failure to adhere to the law. The court of last resort of Colorado held, in effect, that the REA loan of $22,876,000 to the Colorado-Ute Electric Association was illegal. The REA had made this loan to this generation and transmission cooperative in 1962 to build a 150,000 kilowatt steamplant and extensive transmission lines. The output of these facilities was to be sold to the member cooperatives of Colorado-Ute and to the Salt River district in Arizona. Some of its output would, in effect, be used by the Bureau of Reclamation to firm up the power of the Colorado River storage project produced at dams in Utah, Arizona, and Colorado.

The full background on the granting of this highly controversial and legally questionable loan will be found in the hearings of the Subcommittee on Department of Agriculture and Related Agencies of the Committee on Appropriations for Department of Agriculture requests for 1963 and 1964.

I fought this loan at that time because, in my opinion, it was clearly, patently illegal.

Section 4 of the REA Act of 1936 provides, among other things that:

> No loan for the construction, operation or enlargement of any generating plant shall be made unless the consent of the State authority having jurisdiction in the premises is first obtained.

Obviously, as this decision demonstrates, "the consent of the State authority having jurisdiction" could not be "first obtained" as long as there was litigation unresolved in the courts concerning the consent of the State. Only on February 14, 1966, did the Supreme Court of Colorado—which, under the constitution and law of that State, has the last word—issue its opinion on the legality of the loan, and accordingly, on whether the State had in fact actually given consent. It held that the loan was illegal; the State of Colorado has refused to give its consent to this loan. As a result, the money advanced by the administrator has been advanced illegally. It has been spent illegally in violation of Federal law.

This is just one example of how the Administrator has flaunted the will of Congress, whether that will be expressed in statute or in instructions and guidance contained in reports of committees of Congress. The motivation for this illegal act was the strength of his desire to be free of all restraints imposed by Congress or by the courts. Like the irresponsible driver, he finally ran afoul of the law and the court caught up with him.

The Administrator is now in the process of making the same mistake in releasing funds to a G. & T. co-op in Indiana. A $60,225,000 loan was made on June 18, 1961, to Hoosier Cooperative, Inc., to be used to build a 198,000-kilowatt steamplant and more than 1,500

miles of transmission lines. The Administrator has already begun releasing these funds, even though the Indiana Supreme Court has not as yet finally passed on the legal issues involved. The Administrator certainly should not release any more of this money until the Indiana courts have finally decided this case. He should heed the lesson of his Colorado experience and not make the same mistake twice.

Mr. Speaker, this decision reveals the REA Administrator as lacking good judgment and understanding of legal processes and knowledge of the very act he is in charge of administering.

Right now, we are being treated to a barrage of propaganda emanating from Las Vegas, Nev., to the effect that the REA needs a substantial increase in its funds over and above the $220 million recommended by the President in the current budget. We have here in this decision of the Supreme Court of the State of Colorado a classic illustration of why this agency continually demands more funds; and precisely why it does not need them. We know now that REA has made an illegal loan in Colorado involving millions of dollars. We also know that REA has made other loans in recent weeks for generation and transmission purposes in Kentucky, in Indiana, and in my State, Illinois, that are directly contrary to the directives outlined by the Appropriations Committees of the House and Senate, directly contrary to the provisions of the basic REA Act, and in conflict with policy guidelines established by the President in the budget for fiscal years 1966 and 1967. Obviously, any agency that feels itself above the law and the dictates of Congress can use unlimited funds.

Because of the tremendous importance of this case, I will insert at this point in the RECORD excerpts of the decision of the Colorado Supreme Court in the case of Western Colorado Power Co., against Public Utilities Commission.

EXCERPTS FROM OPINION OF SUPREME COURT OF STATE OF COLORADO RE: THE WESTERN POWER CO., A COLORADO CORPORATION, AND PUBLIC SERVICE CO. OF COLORADO, A COLORADO CORPORATION, VERSUS THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO, HENRY E. ZARLENGO, RALPH C. HORTON, AND HOWARD S. BJELLAND, THE INDIVIDUAL MEMBERS OF SAID COMMISSION, AND COLORADO-UTE ELECTRIC ASSOCIATION, INC., A COOPERATIVE ASSOCIATION

We will refer to the parties as follows: to the Western Colorado Power Co. as "Western," the Public Service Co. of Colorado as "Public Service," the Public Utilities Commission as the "commission," and the Colorado-Ute Electric Association, Inc., as "Colorado-Ute."

On May 11, 1962, Colorado-Ute filed an application with the commission for a certificate of convenience and necessity. The object of the application was to permit Colorado-Ute to construct near Hayden, Colo., a steam electric generating plant with a nominal rating of 150,000 kilowatts, together with associated transmission lines and related facilities necessary to deliver power to certain new customers it sought to serve at wholesale. On June 14, 1962, Colorado-Ute filed a petition for an order of the commission authorizing it to execute notes payable to the United States of America in an amount not to exceed $22,876,000 and mortgages to secure the notes in order to finance the project. Public Service and Western filed protests in opposition to Colorado-Ute's requests and the matters were consolidated for hearing. Protests to those applications which were filed by Public Service and Western generally alleged that each was a public utility subject to the jurisdiction of this commission engaged, among other things, in the generation, transmission and distribution of electric power and energy at wholesale and otherwise throughout various areas of the State of Colorado; that all or a portion of the lines, plant, and facilities proposed to be constructed by Colorado-Ute would cause physical and uneconomical duplication of the lines, plants, and systems of the companies which had been lawfully constructed and dedicated to the public use; that the companies then, and for many years past, had maintained electric generating facilities and transmission lines and related facilities adequate and sufficient to meet all present and future needs of their customers and service areas, and hold themselves out as ready, willing, and able to render wholesale electric service to Colorado-Ute or any of its members; that there did not exist any need nor necessity for the construction of the proposed plant and facilities of Colorado-Ute and that if such construction was authorized by the commission it would result in substantial damage to the companies and their electric consumers.

Subsequent to hearing, the commission entered its order authorizing the construction of the Hayden plant and the financing thereof, but denying authority to construct certain of the facilities originally requested. Western and Public Service thereafter commenced certiorari proceedings in the district court, and from the judgment therein entered, affirming the commission's decision, they bring writ of error here.

Colorado-Ute is an incorporated rural electric cooperative association engaged in generating and transmitting electric energy as a wholesaler. It proposes to sell electric energy to various customers, it denominates member as well as to the Bureau of Reclamation, a nonmember. It further proposes to dedicate its facilities to whatever use the public convenience and necessity require, including the wheeling of power to protestants Public Service and Western. It is federally financed by the Rural Electrification Administration under the Rural Electrification Act of 1936 (VII, U.S.C.A. 901). Eleven of its members are distribution members and distribute electrical energy directly to their users. Of the two other members, the Arkansas Valley G. & T. generates and transmits energy for its three distribution members, and the Salt River Project Agricultural Improvement and Power District provides both electric and water service in the area surrounding Phoenix, Ariz. Salt River is not a cooperative but is a quasi-governmental organization incorporated under the laws of the State of Arizona.

* * * * *

On this writ of error, contentions of Western and Public Service fell into three general categories: (1) That Colorado-Ute did not prove the need, demand, or necessity required by the law of public convenience and necessity for power to be provided by the Hayden plant; (2) that the financial arrangements of Colorado-Ute with the Rural Electrification Administration are illegal; and (3) that numerous errors of an evidentiary, procedural, and administrative nature were committed by the commission, all to the prejudice of Western and Public Service.

The first category consisted of six subcategories, each of which, it is said, points to error because the action of the commission, and the trial court in affirming the commission, contravened the fundamental concept of public utility law relating to public convenience and necessity. In this respect it is asserted: (1) That the evidence established that proposed new customers of Colorado-Ute already had an adequate power supply and that these customers would merely change their source and commence taking their power from Colorado-Ute; (2) that the construction of the plant would duplicate service made available by Western and Public Service as well as other electric suppliers presently rendering such service; (3) that the estimates of power costs submitted by Colorado-Ute found no support in the evidence; (4) that the generation and transmission of energy at less cost, assuming the record established such fact, is not a factor in establishing public convenience and necessity where reliance upon cheaper energy as basis for certification would be destructive of the concept of regulated monopoly; (5) that it would not be in the public interest to permit the construction of the plant where it would put Colorado-Ute in a debt position of more than 100 percent; (6) that the commission erred in receiving evidence concerning alleged benefits which would accrue to the Colorado River Basin fund as a result of the construction of the plant where the reception of such evidence was based upon the construction of a 600,000-kilowatt plant and basing its decision thereon when the application was for a plant of only 150,000 kilowatts.

* * * * *

The record discloses that the Colorado-Ute was organized in 1941 by a group of rural electric distribution associations on the western slope, but remained inactive for some years. In 1952 Colorado-Ute was reorganized, and it obtained a loan from the Rural Electrification Administration to construct transmission lines and a generating plant to supply the electric requirements of its then members. Upon the completion of the construction of this plant, known as the Nucla plant, Colorado-Ute commenced serving, on a wholesale basis, four distribution cooperatives located in the southwestern portion of the State. At the time of the hearing before the commission there was then pending an application by Colorado-Ute to commence serving a fifth member located near Grand Junction, Colo.

The alleged purpose to be served by the construction of the Hayden plant is to supply the electric requirements not of its 5 members but of 13 members. This would have the effect of making Colorado-Ute the wholesale supplier of electric energy to a large portion of the State of Colorado, as well as to a small portion of the State of Wyoming and the State of Utah, and a large supplier to the Salt River project in Arizona. Each of these eight potential new customers of Colorado-Ute is now receiving service from other sources, and the existing Nucla plant of Colorado-Ute is adequate to serve the requirements of the five earlier members. It is thus apparent that Colorado-Ute seeks to commence rendering electric service on an expanded basis in areas it has not heretofore served, to customers it has never before served, and to customers and in areas where electric service is being supplied and is available from other existing sources.

Wholesale electric service to many of the proposed new distribution cooperative customers of Colorado-Ute was for many years supplied by other utilities in the area, and later by the Bureau of Reclamation, and all parties to this proceeding are distinctly in the wholesale electric business. Arkansas G. & T. is an organization similar to Colorado-Ute and supplies wholesale electric service to three distribution cooperatives. Arkansas Valley obtains its power by purchase from municipal electric plants and from its own generating plant located near Canon City. This, in turn, it wholesales. The effect of the commission's decision is to substitute Colorado-Ute as the source of supply for all of these proposed new members.

For instance, those receiving wholesale service from the Bureau of Reclamation will terminate such purchases; those proposed new customers which have generating plants will dispose of those plants by one means or another; and those new customers which purchased from municipalities will no longer do so. Arkansas G. & T. which only recently completed the construction of its Canon City generating plant, will no longer obtain any power from its own plant but instead will purchase from Colorado-Ute.

Although there was much conflicting testimony with respect to the ability of the Bureau of Reclamation to continue meeting the wholesale requirements of the proposed new members of Colorado-Ute, all three commissioners concurred in a finding that Bureau power—the existing source of supply of many of these cooperatives—was adequate for the foreseeable future. In addition the record clearly reflects that the Arkansas G. & T. plant is more than adequate to most the anticipated demands of its customers for a considerable period of time. It is also shown by the record that Public Service and Western have adequate generating facilities with which to meet the demands of any wholesale requirements in their respective areas should existing sources prove insufficient.

Under these circumstances, it is apparent that the generating capabilities of existing electric suppliers in the State of Colorado are more than adequate to supply increased electrical needs without the addition of the Hayden plant, which was to be constructed only for the purpose of providing service to substitute for that already being rendered.

* * * * *

QUESTIONS TO BE DETERMINED

First. Does public convenience and necessity require the construction and operation of the Hayden plant in view of the acknowledged adequacy of existing service?

We answer this question in the negative. The State of Colorado has long been dedicated to the principle of regulated monopolies in the conduct of public utility operations. This principle has been the public policy of this State since the year 1913 when the Public Utilities Act of the State of Colorado was first adopted. The concept has never varied in a long line of decisions of this court.

* * * * *

The statute which is determinative of the basic issue in this case is C.R.S. 1963, 115-5-1, which provides as follows:

"115-5-1. New construction—extension.—(1) No public utility shall begin the construction of a new facility, plant, or system, or of any extension of its facility, plant, or system, without first having obtained from the commission a certificate that the present or future public convenience and necessity require or will require such construction. Sections 115-5-1 to 115-5-4 shall not be construed to require any corporation to secure such certificate for an extension within any city and county or city or town within which it shall have theretofore lawfully commenced operations, or for an extension into territory, either within or without a city and county or city or town, contiguous to its facility, or line, plant, or system, and not theretofore served by a public utility providing the same commodity or service, or for an extension within or to territory already served by it, necessary in the ordinary course of its business."

The above statute makes mandatory proof of public convenience and necessity prior to the construction of any new plant or system, subject to certain exceptions. It is obvious that none of the exceptions are applicable in this case, and Colorado-Ute has never contended to the contrary. This statute is the foundation of the regulated monopoly principle and as this court has observed on many occasions it was designed to prevent duplication of facilities and competition between utilities, and to authorize new utilities in a field only when existing ones are found to be inadequate.

* * * * *

We agree with Commissioner Zarlengo when he points out in his dissenting opinion the lack of evidence of public convenience and necessity:

"It appears that the applicant has founded its case, in the main, on the premises that if the Hayden plant and facilities be authorized, the power and energy produced will find a market, all the while ignoring substantial proof and competent evidence as to the availability (58) or nonavailability of power and energy from existing sources and the reasonableness of its cost to the consumers. To say the least, it has glossed over this phase, or, at most, tendered evidence which is vague, indefinite and uncertain."

To affirm the decision of the commission authorizing the construction of the Hayden plant where existing service was already adequate, would require a complete departure by this court from its previous decisions. The fundamental misconception of Colorado-Ute is its failure to recognize that, under regulation, existing suppliers are entitled to serve all desiring service, whether they be existing or potential customers.

* * * * *

In summarizing the factual situation presented by the record, it is apparent that—

1. Adequate electric service is already available in the State of Colorado for the needs and necessities of the proposed new customers of Colorado-Ute; therefore

2. The construction of the Hayden plant, requiring an investment of approximately thiry million dollars, is not necessary to supply any present or foreseeable future electric requirements, and Colorado ratepayers should not be required to support it; and

3. Affirmance of the district court's judgment and the decisions of the commission would sanction a duplication of existing electric facilities which are adequate to supply the needs of the public; and

4. The affirmance of the district court and commission decisions by this court would be inconsistent with the doctrine of regulated monopoly and would, as we stated in *Public Utilities Commission* v. *Verl Harvey, supra,* render regulation "wholly ineffective and meaningless."

Having discussed the Colorado law of public convenience and necessity as a crucial point upon which the decision in this case turns, we must inquire whether there are any other considerations which should, for reasons special to this case, absolve Colorado-Ute from the necessity of proving that the public convenience and necessity requires construction of the Hayden plant. If such considerations exist it must be admitted at the outset that the result would emaculate the concept of regulated monopoly and the entire Colorado structure of public utility law.

Second. Does Colorado Session Laws 1961, chapter 198, 115-1-3(2), which generally conferred jurisdiction over cooperatives in the public utilities commission, violate the constitution of Colorado or of the United States?

This question is answered in the negative. At the commencement of its consideration of this case, the court requested and received an additional oral argument from counsel, upon questions concerning the constitutionality of the 1961 amendments (particularly session laws of Colorado 1961, ch. 198, 115-1-3(2)) to the public utilitiy law, and the consequent investiture of the public utilities commission with jurisdiction of cooperatives.

* * * * *

The 1961 amendments to the public utilities law of the State of Colorado are valid, enforcible, and constitutional, C.R.S. 1963, 115-1-3(2) provides:

"Every cooperative electric association, or nonprofit electric corporation or association, and every other supplier of electrical energy, whether supplying electric energy for the use of the public or for the use of its own members, is hereby declared to be affected with a public interest and to be a public utility and to be subject to the jurisdiction, control, and regulation of the commission and to the provisions of articles 1 to 7 of this chapter."

This statute is couched in clear and cogent terms. It makes no exceptions. "Every cooperative electric association" is a public utility, as well as all other electric suppliers.

No issue has been raised in this case that Colorado-Ute is not a "cooperative electric association." By the terms of the statute, therefore, it is subject to the jurisdiction, control, and regulation of the public utilities commission, and we so hold.

Colorado-Ute in its application before the public utilities commission readily admits that it is a public utility. The application contains the following:

"Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado subject to the jurisdiction of this commission under the provisions of H.R. No. 245 passed by the Colorado Legislature and signed by the Governor on April 23, 1961.

"The public convenience and necessity requires the construction of said generating plant, transmission lines, and related facilities, and the interconnections herein described."

These allegations are consistent only with the concept that Colorado-Ute is a public utility, and are inconsistent with any idea that it is concerned only with the needs and requirements of its cooperative members.

Western and Public Service admit that Colorado-Ute is a public utility. The legislature has declared in no uncertain terms that it is a public utility. It furnishes electrical energy which is used by countless consumers in a very large segment of this State. The widespread interest of the public is clearly shown, and this court should not declare the legislative act to be void, especially when the parties themselves admit that it is valid and enforceable.

There is an abundance of authority to support the classification of a wholesaler of energy to distributors as a public utility. (*North Carolina Public Service Co. et al.* v. *Southern Power Co.,* 282 Fed. 837; *Boone County Rural Electric Membership Corporation et al.* v. *Public Service Company of Indiana, et al.,* 239 Ind. 525, 159 N.E. 2d 121; *Orndoff* v. *Public Utilities Commission,* 135 Ohio State 438, 21 N.E. 2d 334; *Industrial Gas Company* v. *Public Utilities Commission of Ohio,* 135 Ohio St. 408, 21 N.E. 2d 166; *Wisconsin Traction Company* v. *Green Bay & Miss. Canal Co.,* 188 Wis. 54, 205 N.W. 551.)

The cooperative form of organization obviously has nothing to do with the question of what constitutes the public convenience and necessity, or with the obligation of any utility to prove public convenience and necessity in accordance with the theory of regulated monopoly as expressed by the statutes of the State of Colorado and the decisions of this court. These statutes were enacted for the benefit of the public as a whole, and result in the granting of regulated status to a supplier of a commodity essential to the public interest. Under regulation, an electric consumer need not be a member of a cooperative to secure its service. Likewise a consumer located in an area exclusively served by such cooperative must take its service if indeed service is to be received at all. The form of organization delivering service makes no difference whatever to these consumers and the legislature recognizes

reality when it specifically places the cooperatives under the regulatory arm of the State.

* * * * *

Third. Does the fact that Colorado-Ute, a cooperative, has but 13 members who are also cooperatives, warrant treatment of a different kind than that which would be applicable to any other kind of membership?

This question is answered in the negative. We find no merit to the argument that as a cooperative whose members are other cooperatives, Colorado-Ute is merely an extension or adjunct of these member cooperatives so that its act is the act of its members, and for that reason Colorado-Ute is not subject to regulation.

We observe first that Colorado-Ute is in all respects a separate legal entity; it has its own distinct corporate organization, including directors and officers; and it deals with its customers, whether cooperatives or not, by means of long-term power supply contracts. It is obvious that the decision to construct the Hayden plant was the decision of Colorado-Ute itself rather than its members as of the time the decision was made to build the Hayden plant. At that time it had no more than five members. Many of its new members did not become members or agree to power purchase contracts until shortly before the commission hearing commenced, which was long after the decision to construct the plant was made. It is, therefore, apparent that Colorado-Ute, instead of being the alter ego of its members, is the complete master of its own destiny. Thus the concept of it as a mere extension or adjunct of the distribution cooperative members has no legal or factual basis and is a forced and artificial one. But even if we accepted the artificial idea of the nature of Colorado-Ute as an alter ego, so to speak, of its members, no different application of the legal principles here involved would result. There is no contention in this case that those customers of Colorado-Ute that are themselves cooperatives are not public utilities and are not subject to the jurisdiction of the public utilities commission.

Any such cooperative, which had not theretofore generated its own electricity, would be required to secure Commission approval if it proposed to construct such a plant (C.R.S. 1963, 115–5–1), and, of course, if it came before the Commission with such purpose it, like any other utility, would be required to prove that the public convenience and necessity demanded such construction because it would then be engaging in a wholly new and distinct type of utility service (generation) theretofore supplied by a public utility providing the same commodity or service.

* * * * *

It is thus clearly apparent that the business of Colorado-Ute is affected with a special interest far beyond that of its 11 distributive cooperatives and therefore is not immune from regulation.

Fourth. Does that fact that the Hayden plant has already been completed require an affirmance of the judgment of the trial court?

The answer is "No." The court is aware that the Hayden plant is now constructed. This fact, however, cannot subvert the legal principles upon which our decision is based nor be allowed to defeat the doctrine of regulated monopoly to which Colorado subscribes. It is clear that both Colorado-Ute and the REA, its financing associate (who was not before the commission) recognized that construction of the Hayden plant during litigation was attended with substantial risk, and they engaged in such activity with full knowledge of the possible consequences.

For good reason, no contention is made that the construction precludes decisions by this court. It is the law that when the interest of the public is concerned it is not only the right but the duty of an appellate court to determine the issues, regardless of interim construction.

* * * * *

Colorado-Ute solemnly assured the commission and district court that in the event of the reversal of the commission order, Colorado-Ute and its Colorado consumers would escape scatheless from adverse economic consequences because Salt River of Arizona would then assume the obligation for the Hayden plant. The record discloses that counsel for Colorado-Ute wrote the commission under date of March 21, 1963, specifically stating that Salt River had agreed to take the Hayden plant off the hands of Colorado-Ute at no loss to Ute in the event that some court subsequently ruled that the certificate should not be issued.

* * * * *

When litigation in accordance with the statutes and procedures of the State in question is in progress, it needs no citation of authority to establish that consent of the State authority to the construction has not been obtained, nor could any reasonable person believe that security for the proposed loan is adequate and that the loan will be repaid in due course when the very right to construct the plant is still in litigation.

* * * * *

The judgment of the trial court is reversed and the cause remanded with directions that it vacate its judgment and thereafter direct the commission to vacate and set aside its decision No. 60156.

Mr. Justice Sutton concurs in the result.

Mr. Justice Frantz dissents.

OPTICAL ILLUSION OF GUNS AND BUTTER

The SPEAKER pro tempore (Mr. KREBS). Under previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 15 minutes.

Mr. QUIE. Mr. Speaker, the so-called Great Society has done it again. Once again, it is attempting to create an optical illusion of both guns and butter by seeking to transfer funds from time-tested and successful programs to its own controversial and politically motivated Great Society schemes.

I have heard many people say that the administration knows Congress will reinstate many of the programs cut in the budget, thus taking upon itself the responsibility for exceeding the record $112.8 billion budget figure.

I believe that, while this may be good politics, it is terrible statesmanship, especially when the so-called Great Society callously runs the risk of literally destroying as basic and successful a program as the Land Grant Act of 1862.

Mr. Speaker, the so-called Great Society budget for 1967 calls for a cut of nearly $12 million of instructional funds for the 68 land-grant colleges and universities. This is a cut of 80 percent, leaving only $2.5 million to be divided equally among the 50 States and Puerto Rico—about $50,000 to a State. In 17 States, the $50,000 must be subdivided between two institutions.

The budget also calls for a cut of $8.5 million in agricultural research funds, within the experiment stations conducted by the land-grant institutions. This is at a time when the President sends Congress a special message on the seriousness of the world food crisis.

The budget, in addition, calls for the transfer of $9.6 million from the cooperative extension program, also administered by the land-grant institutions, to Federal allocation for use in the rural antipoverty program. Yet, for decades, the cooperative extension service has had experience fighting poverty and if given the challenge would make great headway again as evidence has come to me recently.

No program in history has been more successful in fighting rural poverty than the cooperative extension program. For decades, county extension agents have raised the standards of rural America.

Mr. Speaker, I am shocked, amazed, astounded, and dismayed by these proposed budget cuts. Is this a Great Society or an ungrateful administration?

I am grateful and proud that in 1862 Senator J. S. Morrill, of Vermont, a Republican, sponsored the Land Grant College Act.

I am grateful and proud that a Republican Congress passed it into law.

I am grateful and proud that Abraham Lincoln, a Republican President, signed it into law.

I know from personal experience that the so-called Great Society has no ear for constructive Republican proposals, but it would seem to me that it might have some small bit of admiration for this Republican program which has worked so well for the past 104 years.

For a century, educators, Congressmen, and the public at large have hailed the Land Grant Act as the keystone of Federal participation in higher education. In 1951—under the Truman administration—the U.S. Office of Education bulletin summarized the feeling of many decades in these words:

> The whole realm of higher education in this country and to a lesser degree even in some other countries, has been profoundly influenced by the developments of the land-grant colleges and universities in popularizing higher education. They have demonstrated the partnership of the Federal and State Governments in the maintenance of a system of higher education which is designed to fulfill Federal, State, and local needs. They have spread widely the concept that higher education is something in which all people have a stake. They have, therefore, a place of deep affection in the hearts of the people. They are growing in strength and influence with each passing year.

Mr. Speaker, in 1967 is an ungrateful administration to move so far toward destruction of the Land Grant Act?

There are no other Federal programs to replace the instructional funds. State legislatures are virtually the only source of replacement revenue. Not only are they already overburdened in many cases, but most of them are not meeting this year.

College administrators must make their instructional arrangements for next fall within 2 or 3 months.

Where are they to get the money?

Mr. Speaker, 16 of the land-grant institutions are predominantly attended by Negroes and all of the 68 are fully integrated. Alcorn Agricultural and Mechanical College of Mississippi is a predominantly Negro institution. It depends on the land-grant funds for 25

percent of its entire instructional budget. Fort Valley State College of Georgia is a predominantly Negro college. It depends on these funds for 14 percent of its instructional budget and South Carolina State College is dependent to the extent of 13 percent. Where are they and the other 13 predominantly Negro institutions to find the money?

In fact, where are any of the 68 land-grant institutions to find the needed money if this budget cut is allowed?

In 1960, Congress took into account inflation and rising enrollments and unanimously increased the instructional funds of the land-grant colleges and universities from $5 million annually to $14.5 million. Now the Johnson administration wants them cut from $14.5 million to $2.5 million. Yet between 1960 and 1965 enrollments in these institutions increased 67 percent—from 639,489 to 1,027,498. The figure will be even higher next fall, for total college enrollment has been increasing at rates between 7 and 15 percent since World War II, with no end in sight. The land-grant college enrollments have grown more rapidly than any other type of college except junior colleges.

The proposed cut in both instructional and research funds of more than $20 million represents more than 2,000 faculty members and if put in terms of endowment represents a capital of $400 million.

Where are the 68 land-grant institutions to get the money?

Mr. Speaker, let us carefully examine the following chart, which shows how much would be lost to each of the land-grant institutions:

Funds for instruction and facilities (Morrill-Nelson, and Bankhead-Jones funds)

LAND-GRANT INSTITUTIONS	
All land-grant institutions	$14,500,000
Alabama:	
Alabama Agricultural and Mechanical College	95,170
Auburn University	182,477
Alaska: University of Alaska	205,376
Arizona: University of Arizona	230,951
Arkansas:	
Agricultural, Mechanical, and Normal College	66,125
University of Arkansas	176,333
California: University of California	573,580
Colorado: Colorado State University	241,689
Connecticut: University of Connecticut	260,260
Delaware:	
Delaware State College	42,122
University of Delaware	168,486
Florida:	
Florida Agricultural and Mechanical University	103,307
University of Florida	214,386
Georgia:	
Fort Valley State College	83,507
University of Georgia	210,216
Hawaii: University of Hawaii	215,040
Idaho: University of Idaho	215,858
Illinois: University of Illinois	439,618
Indiana: Purdue University	310,822
Iowa: Iowa State University of Science and Technology	265,544
Kansas: Kansas State University of Agricultural and Applied Science	251,783

Funds for instruction and facilities (Morrill-Nelson, and Bankhead-Jones funds)—Con.

LAND-GRANT INSTITUTIONS—continued	
Kentucky:	
Kentucky State College	$39,471
University of Kentucky	232,743
Louisiana:	
Louisiana State University and Agricultural and Mechanical College	188,920
Southern University and Agricultural and Mechanical College	88,496
Maine: University of Maine	223,038
Maryland:	
Maryland State College, Division of the University of Maryland	32,844
University of Maryland	240,856
Massachusetts:	
Massachusetts Institute of Technology	16,667
University of Massachusetts	305,709
Michigan: Michigan State University	385,949
Minnesota: University of Minnesota	281,144
Mississippi:	
Alcorn Agricultural and Mechanical College	127,519
Mississippi State University	124,253
Missouri:	
Lincoln University	18,917
University of Missouri	283,760
Montana: Montana State College	216,038
Nebraska: University of Nebraska	233,546
Nevada: University of Nevada	206,781
New Hampshire: University of New Hampshire	214,426
New Jersey: Rutgers, the State University	344,201
New Mexico: New Mexico State University	222,605
New York: Cornell University	598,897
North Carolina:	
Agricultural and Technical College of North Carolina	101,737
State College of Agriculture and Engineering, University of North Carolina	206,557
North Dakota: North Dakota State University	215,032
Ohio: Ohio State University	430,710
Oklahoma:	
Langston University	25,534
Oklahoma State University of Agriculture and Applied Science	229,807
Oregon: Oregon State University	242,040
Pennsylvania: Pennsylvania State University	469,049
Puerto Rico: University of Puerto Rico	255,846
Rhode Island: University of Rhode Island	220,429
South Carolina:	
Clemson Agricultural College	128,316
South Carolina State College	128,316
South Dakota: South Dakota State College of Agriculture and Mechanic Arts	216,175
Tennessee:	
Tennessee Agricultural and Industrial State University	51,599
University of Tennessee	233,187
Texas:	
Prairie View Agricultural and Mechanical College	106,924
Texas Agricultural and Mechanical University	320,774
Utah: Utah State University of Agriculture and Applied Science	221,169
Vermont: University of Vermont and State Agricultural College	209,267

Funds for instruction and facilities (Morrill-Nelson, and Bankhead-Jones funds)—Con.

LAND-GRANT INSTITUTIONS—continued	
Virginia:	
Virginia Polytechnic Institute	$196,193
Virginia State College	98,097
Washington: Washington State University	267,818
West Virginia: West Virginia University	244,220
Wisconsin: University of Wisconsin	293,929
Wyoming: University of Wyoming	207,845

Mr. Speaker, equally serious to my mind is the proposed cut of some $8.5 million in agricultural research funds. I have said many times that we need to export our technology as well as our surpluses, so that the rest of the world can better learn to feed itself and help to meet the increasing food crisis.

How important is that crisis? On January 18, 1966, speaking before the U.N. World Food Program Conference, Secretary of Agriculture Freeman said:

> The problem is staggering. Unquestionably, there is a serious race between population and the food supply * * *. It will take an unprecedented effort to break the chain of hunger and despair in the developing nations of the world. No single nation and no single technique is powerful enough to solve a problem so vast in scope and complex in nature. It will take the combined resources of many nations and a broad application of the entire spectrum of agricultural knowledge in undeveloped nations to conquer such an adversary.

Mr. Speaker, the President of the United States, on February 10, 1966, sent to the Congress a special message in which he said:

> One new element in today's world is the threat of mass hunger and starvation. Populations are exploding under the impact of sharp cuts in the death rate. Successful public health measures have saved millions of lives. But these lives are now threatened by hunger because food production has not kept pace.

Mr. Speaker, an editorial entitled "The War on Hunger," in the October 1965 edition of the Farm Journal says:

> What can be done to step up crop yields? Not much can happen without such basics as stable government, education, and a system of incentives that lets a man keep enough of what he earns.
>
> Farmers anywhere need good seed, fertilizer, pesticides, machinery, experiment stations, extension service, good farm magazines and farm radio, good roads, farm credit and a system of markets that lets them sell something, rather than just feed themselves.
>
> We've done quite a bit about some of these, but this is the area where we need to step up our efforts sharply. Sending food is a necessary aid. Helping build agriculture on the spot is the only real solution.

Mr. Speaker, who has engineered the vast portion of American progress in agriculture which has led to our vast surplus productive capacity from the standpoint of domestic need? It has been the research facilities of the land-grant colleges.

Who has made the findings of the land-grant researchers generally known to farmers as a group? The land-grant cooperative extension program.

Does the Johnson administration really believe that it holds the truth, the whole truth and nothing but the truth in the field of agricultural technology? Does it feel that no further knowledge is needed?

Coupled with slashes in the budget for the Agriculture Department's own research funds, the actual reduction in federally supported research in this area amounts to more than 20 percent, since research costs increase at the rate of 5 or 6 percent a year. This comes at the same time that the Secretary of Agriculture joins the President of the United States in pointing out the world food crisis. This is indeed, an optical illusion.

The Johnson administration likewise proposes to shift away from the cooperative extension service, which pioneered the fight against rural poverty, $10 million, and to use it in—you guessed it—a rural war on poverty. This is, indeed, an optical illusion.

Mr. Speaker, the following chart shows the loss to individual agricultural experiment stations under the proposed cut, excluding regional research funds:

Effect of reduction on Hatch formula funds

Alabama	—$154,803
Alaska	—39,276
Arizona	—54,246
Arkansas	—125,614
California	—170,852
Colorado	—71,560
Connecticut	—59,084
Delaware	—42,568
Florida	—101,213
Georgia	—166,981
Hawaii	—40,973
Idaho	—67,937
Illinois	—198,255
Indiana	—178,709
Iowa	—187,918
Kansas	—117,055
Kentucky	—185,706
Louisiana	—117,313
Maine	—59,662
Maryland	—84,252
Massachusetts	—72,620
Michigan	—185,031
Minnesota	—176,166
Mississippi	—171,854
Missouri	—174,967
Montana	—63,165
Nebraska	—107,063
Nevada	—38,280
New Hampshire	—46,324
New Jersey	—68,952
New Mexico	—55,340
New York	—181,601
North Carolina	—268,872
North Dakota	—81,446
Ohio	—217,165
Oklahoma	—108,035
Oregon	—81,508
Pennsylvania	—217,112
Puerto Rico	—207,080
Rhode Island	—38,602
South Carolina	—143,824
South Dakota	—81,790
Tennessee	—192,444
Texas	—236,724
Utah	—48,998
Vermont	—50,502
Virginia	—165,377
Washington	—95,018
West Virginia	—98,001
Wisconsin	—176,452
Wyoming	—45,710
Subtotal	—6,120,000

Mr. Speaker, why are these cuts asked? I quote from a February 4 statement by the National Association of State Universities and Land-Grant Colleges:

> Relationships between the Federal Government and the land-grant institutions, in which for more than a century desirable national objectives have been accomplished with a maximum of institutional independence and decisionmaking, have long been hailed as a model of Federal-State relationships in education. An across-the-board modification of these institutional related programs, at a time when Federal support of higher education is being increased in federally selected categories, may be viewed as raising fundamental philosophic issues. We were of the opinion that these were not fully understood or considered under the unusual conditions which surrounded preparation of the 1967 budget.

TRIBUTES TO WARREN ABNER SEAVEY AND EDMUND M. MORGAN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. HUNGATE] is recognized for 60 minutes.

Mr. HUNGATE. Mr. Speaker, it is my purpose at this time to pay tribute to two giants of the law who have recently passed away.

At this time, when we are all concerned with the establishment of world peace and the movement to establish world peace through world law, I think the contributions of such men deserve our consideration, and their memory deserves our attention.

These men were Warren A. Seavey, a professor who taught at Harvard Law School, among other places, and was most noted for his contribution in the field of torts and agency, and also Edmund M. Morgan, who taught the law of evidence there and was also a law professor at Texas and other schools throughout the country.

Professor Seavey was a gentleman who employed the Socratic form of teaching in its highest form. He taught solely by questions, and thereby sought to teach young men and would-be lawyers to think—the most important job, after all, that any citizen can have. Professor Seavey instilled the idea that if we are ever, in our lives or in our world, to obtain the right answers to our problems, we must learn first to ask the right questions.

In the beginning, as he would greet a new class of students, none of whom were acquainted with the mysteries of the law, he would tell them absolutely nothing but ask questions for hour on hour. Frequently it was stated that while he was a man who caused you the most discomfort while you were in the law school, his memory was one that you would treasure more highly than any other as the years went by. I know, in my own case, I found that statement to be eminently correct.

During the period of World War II, Professor Seavey served as acting dean of the Harvard Law School, and during that time he wrote law students and young lawyers all around the world. Anyone who wrote to Professor Seavey was certain to get a response from him. Toward the end of the war the letters came from all parts of the world, and Professor Seavey was designated an adviser to the veterans.

To illustrate the manner in which he wrote, I quote from a sample of his writing furnished by Dean Griswold, of Harvard. When he received a letter from a veteran, he would answer:

> I am glad you want to come to law school. You are just the sort of man we want. When you are released from the service, come to Cambridge and we will be glad to take you in no matter when you come.

These letters were kept by the men to whom they were sent, and they turned up after the war when, indeed, there were thousands and thousands of men seeking admission to law schools all around the country, and the problem of being admitted was most difficult. They were treated by the law school at Cambridge as estoppels by the admission committee, and many men owe their legal education to this kind and tender spot that Professor Seavey had for those who served their country in World War II.

Mr. Speaker, at this point in the RECORD I desire to have printed a statement prepared by Dean Erwin Griswold of the Harvard Law School:

WARREN ABNER SEAVEY, 1880–1966

(Statement of Erwin N. Griswold)

A mighty oak has fallen, but his strength will long contribute to this community and to the law. We are met this afternoon of an old fashioned New England winter day to pay our respect and tribute to Warren Seavey who was a son of New England and shared its many virtues. This is not a time of sadness, for Warren Seavey lived a full and productive life. It is, rather, a time of recognition, a time for us to recall one more great career of the sort whose intertwinings here have given to this university its life, its color, and much of its significance.

Warren Seavey was born in Charlestown, only a few miles from here, in 1880. He came to Harvard College, receiving the A.B. degree in 1902, and then to the law school where he received the LL.B. degree in 1904, with an A average which would today mean a magna cum laude. He then practiced law for 2 years in Boston. But he was at heart a teacher, and in 1906 he started his work as a teacher which lasted for more than 50 years. His first assignment was in China, at the Imperial Pei Yang University, where he established and operated a law school. It was also rumored that he was quite influential with the Old Empress in the closing days of the dynasty. He was decorated with the Order of the Double Dragon, and he kept mementos of his China days in his office all through his active life.

In 1911, Seavey returned to Cambridge for 1 year as a lecturer on law. He then became a professor at Oklahoma State University, where he stayed for 2 years, then at Tulane University Law School, where he stayed for 2 more years, from 1914 to 1916, and then at Indiana University Law School where he was a member of the faculty from 1916 to 1920. But his work at Indiana was interrupted by the First World War. He was commissioned a captain in the infantry in August 1917, and was assigned to active duty in France. After the close of the war in 1918, he became director of the college of law of the AEF University which was established near Dijon in France. He took on this assignment with enthusiasm and energy, and soon had a large and flourishing law school in full operation under great difficulties. He used to tell with relish

how he commandeered mimeograph machines and other items in order to put together case books for use in his school. He was usually just one jump ahead of a court martial, but he claimed, I think rightly, that he was dean of the largest law school then teaching American law. Many members of the Army of the United States must have got their legal start as a result of his devoted work. But, as I have said, he was at heart a teacher. He loved every minute of it.

In 1920, Seavey became the dean of the College of Law at the University of Nebraska. That was a time and place when a dean had to be a man, and Seavey showed on various occasions that he was capable of filling the post. After 6 years there, he started his move east. In 1926, he went to the University of Pennsylvania Law School as a professor of law. In 1927, he came back to Harvard, where he remained a member of the faculty of the law school until his retirement in 1955. For the last 17 years of his tenure, he was Bussey professor of law.

As a teacher Seavey was the acknowledged master of the Socratic method. He questioned, questioned, questioned; and he dissected the students' ideas, and occasionally the students themselves. Though always vigorous in the classroom, he was on the whole a kindly teacher. He liked the students, and he loved to teach. While some faculty members mutter about a teaching load of 6 hours a week, Seavey used to ask the dean to assign him 8 or 9 hours. Naturally there was no opposition to this since he handled the classes so well, and he so greatly enjoyed his teaching.

Seavey's principal fields were agency and torts, and he made substantial and lasting contributions to both areas, as well as to the fields of judgments and restitution. He wrote books and articles in agency and torts, and he played an important part in the writing of the American Law Institute's restatements of agency and of torts, and was primarily responsible for the restatements of judgments and of restitution.

Seavey was not a smooth or polished man. But he was not really gruff, either. He had a measure of reserve; but with that was great loyalty to men and institutions, and devotion to his profession and his students. On many occasions he helped students with loans, always in a quiet and kindly way. Perhaps I may be pardoned a personal reference when I say that when I bought my house in Belmont in 1936 I extended myself to the limit through borrowing at the bank. Just weeks after the mortgage was signed, the lot next door became available. I wanted to have that lot, and it has proved to be a very attractive and useful addition to the house. But I had no money at all. So I went to Warren Seavey, told him my tale, and he immediately reached for his checkbook and advanced the money to me. This was typical of his interest in his associates and his generous spirit.

Seavey was not a warmonger, but he saw sooner than some the way events were developing for the United States in 1939–41. About 1940, he was the principal mover in organizing what was called American Defense—Harvard Group. Many of the participants were members of the law school faculty. The group held regular meetings, and many members made speeches, wrote pamphlets, letters to the newspapers, and so on. Seavey was at the heart of the organization, which played an active role in opposing America First and other isolationist groups of the time.

Then war came, late in 1941. I well remember a meeting of students held in the courtroom shortly after Pearl Harbor. Warren Seavey was one of the speakers. I well remember the occasion. He was calm. He was in no sense exhilarated by the thought of war, but he did tell the students that this was a job that had to be done, that most of them would find it a stimulating and valuable experience. He told them, too, that of course there was some risk, but that most of them would come back—as they had in 1919, and as they did in 1945. It was a very balanced, sober, and extremely useful presentation, and I know it was so received by many of the young men then facing the unknown which he himself had faced in 1917–18.

While the war was on, Seavey wrote to many law students and young lawyers all over the world. Anyone who wrote to him was sure to get a response, a thoughtful, helpful, fatherly answer to the questions which he raised. Toward the end of the war, many of these letters came from people in Tarawa or in Okinawa or in Germany asking about admission to the law school, for Seavey was designated as adviser to veterans. I am sure that the letters he sent were a great comfort to the recipients, for he had a way of writing: "I am glad that you want to come to law school. You are just the sort of man we want. When you are released from service, come to Cambridge and we will be glad to take you in, no matter when you come." Many of these letters turned up, carefully treasured by the men to whom they were sent. Of course we took them in. They were called estoppels by the admissions committee. It would be hard to tell now how many men owed their legal education to the kind and tender spot which Warren Seavey had in his heart for the men who risked themselves in the service of our country in the great war of 1941–45.

In the immediate postwar period, Seavey was a stalwart of the faculty. In 1947, he was chosen by his fellow law teachers to be president of the Association of American Law Schools. He stayed on as a teacher here until he was 75, retiring in 1955. But he then continued to teach—at Boston College Law School, at New York University, at Hastings College of the Law, at the University of Texas, at Vanderbilt University, at Washington University in St. Louis, and for several years at the Wake Forest College of Law. Here he continued his great contributions as a gifted teacher.

I would not say that Warren Seavey did not grow old gracefully. But he did not grow old easily. He was an activist at heart, and he resented the physical impairments which came to him in his later years. But he never gave in. He never surrendered. He was working right up to the day of his death, though he had been in much pain for many years.

In 1914, he married Stella, his devoted wife for more than 50 years, to whom he was devoted, in sickness and in health. They had three children, of whom two survive. They also had many satisfactions, the result of great accomplishments.

Some people have the quality of being great sources of strength for other people. Warren Seavey was such a person. It is fitting that we should pay him tribute. And all of us who knew him, and were influenced by him, owe him our deep and heartfelt thanks.

JANUARY 24, 1966.

Professor Morgan was a giant in the field of evidence. He was a perfect gentleman at all times in his consideration of his students outside the classroom as well as in. Although he treated them with a kind and courteous manner, he had no soft spot toward any particular students and he had no soft spot as to anyone who was misinformed as to the state and existence of the law.

It seems to me the field in which he labored and contributed much toward the establishment of a model code of evidence is one of great importance today, because the terms "due process of law" and the "fair hearing" are not to have their greatest meaning unless we understand the rules of evidence, the rights of confrontation, the rights of cross-examination, and are able to protect and expand the rights of citizens which fully exist only as they are fully exercised.

Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, during my years at Harvard Law School it was my pleasure to get to know Professor Seavey both in the classroom and to a limited extent socially.

In the classroom my first reaction to this master of the Socratic method of teaching was not a favorable one, as I suppose was the reaction of most first-year students to such a seemingly diabolical method of instruction. But, I came to appreciate after several months of listening to Seavey's famous "Because?" and after getting used to the fact that he was not going to give us any pat answers, that learning, especially in the field of law, was not to be adequately gained by reading treatises or textbooks but by being forced to go through the same or similar mental process which plagued those who were responsible for generating the underlying concepts of the law. Seavey's teaching method, which was not his alone, but I give him credit for it because he was the master of it, served also to make us realize that the law was an ever-changing process designed to meet the exigencies of the day and not a mathematical formula that could be applied forever.

I learned from him socially, the social occasions being too infrequent visits to his office both when I was a student and afterward and from an occasional informal talk at a social gathering, that a lawyer had more than just an obligation to meet his material needs. He instilled in me as I am sure he did in others a greater feeling of obligation to make the world a better place to inhabit. In fact the late professor made it crystal clear that it was a lawyer's highest calling to enter the political arena and thereby help fulfill his obligation to mankind by attempting to innovate and improve the rules men live by.

Mr. HUNGATE. Mr. Speaker, the gentleman from Maine [Mr. HATHAWAY] wished me to add that he had not had the privilege of personally studying under Professor Morgan but had enjoyed the benefits of his works and wanted me to explain his great respect for Professor Morgan as a teacher.

Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EULOGY TO THE LATE PROFESSOR WARREN A. SEAVEY OF THE HARVARD LAW SCHOOL

Mr. MATSUNAGA. Mr. Speaker, I rise to join the gentleman from Missouri [Mr. HUNGATE] to pay tribute to the memory of a great scholar and educator, the late Prof. Warren A. Seavey, of the Harvard Law School, who recently passed away.

It was my privilege, as a Harvard law student, to study under this great man of the law and thereby come in contact with his vast store of knowledge, his remarkable perceptivity, and his overall humanity.

Professor Seavey was himself a Harvard man, obtaining his law degree in 1904, and entering the practice of law in his native Boston that same year. From 1906 through 1911 he served in the capacity of professor and acting head of the law school at the Imperial Pei-Yeng University in China, where he was awarded the Order of the Double Dragon, by the imperial government. Returning stateside in 1912 Professor Seavey lectured on law at Harvard, and served as a professor at the Universities of Oklahoma, Tulane, and Indiana, before obtaining a captain's commission in the AEF in 1919. As director of the law school at the American Expeditionary Forces University, at Beaune, France, in 1919, he was decorated with the Palmes Academiques, by the French Government. Back in the United States again, in 1920, Professor Seavey was named dean of the law college at the University of Nebraska, where he stayed through 1926. After that, a year at the University of Pennsylvania was followed by appointment to the staff at Harvard Law School where Professor Seavey remained until his retirement in 1955.

Although he was professor emeritus of the Harvard Law School, Professor Seavey continued his distinguished career as an active legal scholar and teacher at the Washington Square College of Law in New York City for several years prior to his death.

Professor Seavey was general editor of the American Case Book series. He personally edited famous casebooks in his special fields of torts, agency, and restitution. His vast erudition in the law made possible his brilliant editorship of the "Restatements of Torts and Agency" for the American Law Institute.

It was, indeed, a pleasure and an honor to study under this great lawyer and educator, whose memory shall linger so long as law prevails.

EULOGY TO THE LATE EDMUND M. MORGAN, FORMERLY OF THE HARVARD LAW SCHOOL

Mr. Speaker, the death of Edmund M. Morgan, for 52 years an outstanding professor of law in some of our greatest universities, is not only a blow to the academic profession, but also to everyone who ever knew, admired, and studied under this most remarkable man.

As a student at Harvard Law School I was privileged to study under him, and came away from the experience convinced that here, indeed, was a man of great distinction.

Born in Mineral Ridge, Ohio, in 1878, Mr. Morgan obtained his law degree at Harvard and practiced law in Duluth, Minn., for a number of years and was elected assistant city attorney of Duluth in 1909, and served in that office for 2 years. Joining the U.S. Army in 1917 Professor Morgan rose to the rank of lieutenant colonel and held the post of Assistant to the Judge Advocate General of the U.S. Army prior to being honorably discharged.

As a law professor Mr. Morgan worked at the University of Minnesota, Yale, Harvard, and Vanderbilt. At the close of World War II he was named principle chairman of a committee which drafted a code of military justice for the Department of Defense. He also served for a time as a member of a U.S. Supreme Court advisory committee on Federal rules of civil service procedure.

Professor Morgan was a member of the American Academy of Arts and Sciences, the American Bar Association, and the American Law Institute. He also was the author of several major books on legal matters, including: "An Introduction to the Study of Law," "Cases of Common Law Pleading," "Cases on Evidence," "The Legacy of Sacco and Vanzetti," "Some Problems of Proof Under the Anglo-American System," and "Basic Problems of Evidence," the last of which works was published as recently as 1963.

A man of brilliance, clarity, and great heart—a man of great talent as a teacher, Professor Morgan won the respect and affection of all who knew him as both a professor and a man.

Mr. HUNGATE. In conclusion, Mr. Speaker, I would simply state that over the doors of the main entrance to the Harvard Law School, inscribed in Latin, are the words which I understand are translated: "Not under man but under God and law." I think all of us revere this country for those principles. I would say that while we live in a land not under man, but under God and law, men such as Professor Seavey and Professor Morgan are essential men if we are fully to understand our obligations and responsibilities under the law and to our God.

COMMUNISM AND THE COLLEGES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana [Mr. WAGGONNER] is recognized for 20 minutes.

Mr. WAGGONNER. Mr. Speaker, earlier this month, FBI Director J. Edgar Hoover, a man for whom my admiration is without limit, stated that the Communist Party of the United States is seizing on the current "insurrectionary climate" on American college campuses to serve the Moscow cause.

This statement was written in his monthly letter to U.S. law enforcement officers. In it, he continued by stating that the college student today is "being subjected to a bewildering and dangerous conspiracy" through "a feigned concern for the vital rights of free speech, dissent, and petition."

On many campuses he faces a turbulence built on unrestrained individualism, repulsive dress and speech, outright obscenity, disdain for moral and spiritual values, and disrespect for law and order.

Now, Mr. Speaker, in my opinion, the House must react to this statement of Mr. Hoover's in one of two ways.

We can ignore it, first of all.

We can say to the people of this country that what Mr. Hoover has said is entirely untrue, that he is mistaken, that there is no harm that can come to this country from the situation he describes.

That is the first thing we can do.

The second is to say, first to ourselves and then to the people, that Mr. Hoover's statement is true in all essential parts.

The difference between these two positions is the difference between the poles. If we take the first position then we have to do nothing. If, however, we take the second position that he has correctly described the condition which exists, then we cannot pass over it and do nothing.

I, for one, see no possible way we can take this first position.

To deny that the turmoil on the Berkeley campus in California is not Communist instigated is simply impossible.

To say that there has not been a decline in moral and spiritual values at the same time there has been an increase in obscenity and, as Mr. Hoover describes it, unrestrained individualism, would be to refute practically every theologian, every social observer in the Nation.

To say that there is no evidence that this strife has not been fomented, agitated, and perpetuated by the Communists would be sheer foolishness.

To hold that the W. E. B. Dubois Clubs which are springing up like mushrooms on campuses from coast to coast are not Communist-supported organizations, would be to deny the accuracy of practically every written report on their activities.

And so, Mr. Speaker, where do we find ourselves? We find ourselves with only one decision inevitable, not two; one position we can take, not two.

We must acknowledge the accuracy of what the Director of the Federal Bureau of Investigation has said and once we have acknowledged it we must take action. We could not call ourselves representatives of the people if we did not. We could not pretend that we are upholding the oath each of us swore when we took office if we know this condition to exist and do nothing about it.

In his monthly letter, Mr. Hoover reports that the Communist Party's spring convention this year will concentrate on plans to win support from this group of students. He suggested that the public oppose the movement by supporting the "millions of youth who refuse to swallow the Communist bait" and by making it clear, "we do not intend to stand idly by and let demagogs make a mockery of our laws."

Mr. Speaker, I, for one, do not intend to sit idly by.

These statements of the Director of the FBI are official pronouncements. They are not rumors, idly conceived. They are facts arrived at through the resources of the Bureau. The head of this Federal agency is reporting to his officers and, indirectly, to this Congress and the people. We cannot turn our

backs on him and refuse to hear his warning.

I am, today, introducing a resolution which says:

That the Committee on Un-American Activities, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the organizations known as Students for a Democratic Society, the W. E. B. Dubois Clubs, the American Youth Peace Crusade, the American Youth for Democracy, Progressive Youth Organizing Committee, Student Nonviolent Coordinating Committee, Labor Youth League, and the Black Muslims and to study and report upon their involvement in protests relating to official U.S. policy in Vietnam and for the purpose of aiding the Congress in the consideration of any remedial legislation.

I am prompted to do what I can to support Mr. Hoover for a number of reasons: because I revere this Nation, because I loath communism, because the students who have not "swallowed the Communist bait" need our recognition and support, to name but three reasons.

Each is sufficient; I need not mention others.

I have lent my support to an investigation of the Ku Klux Klan on the premise that un-Americanism should be rooted out of any organization no matter where it exists or what its name is. By the same token and for exactly the same reason, I intend to press for an investigation of these organizations named in my bill. The Director of the FBI has, himself, stated that at least one of them, the W. E. B. Dubois Clubs of America are Communist. His word is good enough for me. It should be enough for any Member to, at least, prompt him to join in a demand for a congressional investigation of it and organizations like it. The House Committee on Un-American Activities will have shirked its duty to the people if it does not conduct these investigations. This is where communism is.

I pray that this body has not reached a point where the Federal Bureau of Investigation can tell us that an organization is Communist and we sit on our hands and do nothing about it.

I think the time has come, instead, that any Member who has any reservation about the House Committee on Un-American Activities, the FBI, or Mr. J. Edgar Hoover, subordinate them all and put the safety, security, and welfare of this Nation first.

I would not have any idea how to tell the people of the Fourth District of Louisiana that I was opposed to an investigation of a known Communist organization dedicated to corrupting the youth of America. I pray that you would have the same difficulty and join me in urging passage of this resolution.

THE 100TH CUBAN REFUGEE FLIGHT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, the Cuban refugee program, which President Johnson inaugurated in a speech at the foot of the Statue of Liberty on October 3, 1965, has passed an important milestone.

With the completion of the 100th flight on Monday, February 14, 1966, more than 8,700 Cubans, including hundreds of families, have been given a haven from Communist tyranny through the help and generosity of the American people.

While Dictator Castro is bent on the destruction of the family as the foundation of Cuban society, the people of this country have extended a helping hand to these Cuban refugees by uniting their families so that they can return to their homeland when that country is again free.

Of the 8,700 Cubans arriving in the United States since the new exodus began on December 1, 1965, approximately 5,300 or 61 percent of the refugees have been resettled in communities throughout the United States, while an estimated 3,400 or 39 percent have been reunited with families and relatives in the Miami area.

A preliminary survey of the operations of the program by the legislative assistant of the House Judiciary Subcommittee on Immigration and Nationality reveals that the refugees are being forced to leave Cuba with only 44 pounds of luggage.

Castro is stripping these refugees of all their worldly possessions. By seizing their belongings, Castro is banking hundreds of millions of dollars in an effort to bolster his shaky economy.

Because of the national and internal significance of the Cuban refugee program, the House Subcommittee on Immigration and Nationality, of which I am chairman, is making a full-scale study of the program—its benefits and problems.

From time to time, as the study progresses, I will make regular reports—both formal and informal—to the Congress outlining the information gathered by the subcommittee.

NATIONAL TRAFFIC SAFETY ACT

Mr. MACKAY. Mr. President, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MACKAY. Mr. Speaker 2 weeks ago today the National Traffic Safety Act was introduced in this House and in the Senate. The bill would establish a National Traffic Safety Agency.

Thirty-eight Members of the House and Senate from 27 States have already joined as sponsors of this important legislation. These sponsors come from Hawaii to Maine and from Washington and California to Florida. There has been a significant national response to this mounting national problem.

I call upon Members of the House and Senate to join with us in an effective attack on what has been called the national problem second only to national defense.

The urgency for public hearings, enactment of the bill, and swift executive action has been pointed up by recent development.

On February 11, the National Safety Council released casualty figures for 1965. These statistics show that 4,940 American citizens were killed last December—the worst single month on record. They report 49,000 men, women, and children killed during 1965. An estimated 1,800,000 individuals suffered disabling injuries.

Economic losses continue to mount. The council says direct financial loss totaled $8.5 billion, of which $3 billion came from damaged and destroyed property. The remainder of the cost resulted from wage loss, medical expense, and overhead cost of insurance.

Second, the inadequacy and ineffectiveness of present public and private efforts is apparent. Existing Federal activities are fragmented and incomplete and all other proposals introduced or rumored are fragmented and incomplete. State legislatures and local legislative bodies are floundering and failing because there is no national leadership in our Government to which well-intentioned legislators and local officials can turn to find accurate answers as to what constitutes "uniform" legislation in the field of traffic safety and to many other questions. A National Traffic Safety Agency offers our best hope for vigorous and effective leadership.

The declared purpose of our bill is to reduce the extent of death, injury, and loss of property resulting from traffic accidents by providing the means for a concerted attack on the problem through the establishment of a National Traffic Safety Agency headed by a highly qualified Administrator; the establishment of a National Traffic Safety Center which would bring together public and private information and research; and a national program for traffic safety which shall seek to achieve a uniform national traffic safety environment by means of vigorous application of knowledge as to the principal causes of traffic accidents, death, and injuries.

The following 23 Members of the House are sponsors of the bill: JAMES A. MACKAY, Democrat, of Georgia; JOHN E. MOSS, Democrat, of California; JOHN HANSEN, Democrat, of Iowa; RODNEY M. LOVE, Democrat, of Ohio; WILLIAM ST. ONGE, Democrat, of Connecticut; ROBERT T. ASHMORE, Democrat, of South Carolina; WILLIAM D. HATHAWAY, Democrat, of Maine; RUSSELL TUTEN, Democrat, of Georgia; HAROLD D. DONOHUE, Democrat, of Massachusetts; GEORGE W. GRIDER, Democrat, of Tennessee; JULIA BUTLER HANSEN, Democrat, of Washington, HERVEY G. MACHEN, Democrat, of Maryland; SPARK M. MATSUNAGA, Democrat, of Hawaii; EDWIN REINECKE, Republican, of California; CHARLES L. WELTNER, Democrat, of Georgia; SAM M. GIBBONS, Demo-

crat, of Florida; FERNAND J. ST GERMAIN, Democrat, of Rhode Island; JOHN C. CULVER, Democrat, of Iowa; JAMES C. CORMAN, Democrat, of California; J. IRVING WHALLEY, Republican, of Pennsylvania; ABRAHAM J. MULTER, Democrat, of New York; RICHARD D. MCCARTHY, Democrat, of New York; and CHARLES P. FARNSLEY, Democrat, of Kentucky.

Senator HARTKE, who introduced the bill in the Senate, has been joined by 14 of his colleagues. They are: GORDON ALLOTT, Republican, of Colorado; E. L. BARTLETT, Democrat, of Alaska; BIRCH BAYH, Democrat, of Indiana; ALAN BIBLE, Democrat, of Nevada; JOSEPH S. CLARK, Democrat, of Pennsylvania; PAUL H. DOUGLAS, Democrat, of Illinois; ERNEST GRUENING, Democrat, of Alaska; DANIEL K. INOUYE, Democrat, of Hawaii; GALE W. MCGEE, Democrat, of Wyoming; LEE METCALF, Democrat, of Montana; A. S. MIKE MONRONEY, Democrat, of Oklahoma; JOSEPH M. MONTOYA, Democrat, of New Mexico; FRANK E. MOSS, Democrat, of Utah; and CLAIBORNE PELL, Democrat, of Rhode Island.

THE SPECTER OF A NUCLEAR HOLOCAUST

Mr. McVICKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. McVICKER. Mr. Speaker, in the press of our routine duties, I fear we are sometimes prone to give only perfunctory attention to the transcendent issues over which we can exert little individual influence.

It is entirely proper that we should concern ourselves with the affairs of our own constituents, our district, our State, and our country. But we must not overlook what is today the paramount concern of all mankind—the specter of a nuclear holocaust which could destroy in one searing moment all of the accomplishments of man since the dawn of civilization.

That is the dread prospect which we must live with day by day. There is not much that any one of us can do to dispell it. But we must each do what we can. It is for that reason that I wish to associate myself with numerous of my colleagues in submitting the accompanying resolution, supporting the President in his continuing efforts to halt the proliferation of nuclear weapons.

It goes without saying that the malignant nuclear growth is only a symptom of a deep-rooted disease that has afflicted mankind since its primeval beginnings—a deadly fear that is nurtured by distrust, suspicion, and hatred. In the long run we can only eliminate the symptom by wiping out the sickness.

As the most powerful Nation in the world it is up to us to reassure our neighbors that they need not join in the nuclear scramble; that the road to peace and security leads through the valley of understanding. Let us point the way.

WILL THERE BE A SUBWAY STATION TO SERVE LOW- AND MODERATE-INCOME FAMILIES AT THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS SUCH AS THE ADMINISTRATION PROVIDED AT THE DISTRICT OF COLUMBIA STADIUM?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I include in the CONGRESSIONAL RECORD a report to the Congress by the National Capital Transportation Agency concerning the feasibility of providing a subway station at the John F. Kennedy Center for the Performing Arts. The report states, among other things, that:

> Increased construction costs would result from the longer subway construction (1,360 feet), the additional Cultural Center station, and more difficult engineering problems relating to curves, grades, and geological conditions. The increased cost of this realinement is estimated at $12.3 million, but this added cost will be even greater if:
>
> 1. The George Washington University and others insist upon compensation for easements on a "highest and best use" or other expensive basis;
>
> 2. Buildings in the Columbia Plaza development currently under construction must be underpinned;
>
> 3. Detailed soils investigation of the difficult geological site of a Cultural Center station disclose further problems in addition to those currently assumed.

This NCTA report makes clear that in addition to a minimum cost of $12.3 million, major problems and difficulties will be encountered in placing a subway station at the Kennedy Center. The trustees of the Kennedy Center, as well as Roger L. Stevens, chairman of the Board of Trustees, have repeatedly declared that a subway station will be provided at the Kennedy Center but have not lifted a finger to provide one. Rather, the strategy of the Center's chairman, Roger L. Stevens, and its Board of Trustees, is to have the Kennedy Center "constructed and completed," and thus foreclose forever any reconsideration of its manifold problems, "by the time the NCTA commences design of the line to Rosslyn." This plan of battle was first outlined October 15, 1965, by Roger L. Stevens in a 14-page memorandum he privately circulated to 144 signers of a petition relating to the location of the Kennedy Center.

In this memorandum Roger Stevens said:

> We hope that by the time the NCTA commences design of the line to Rosslyn, the Center will have been constructed and completed. There is every reason to believe that NCTA and its engineers and experts will take into consideration the Center and the adjacent housing facilities and locate the station as near the Center as feasible. With these facts in mind, there is no merit to the statement that there will be "no station near the Center."

In my statement in the CONGRESSIONAL RECORD on October 1, 1965, I said, with regard to locating a subway station at the Kennedy Center, such as the administration has provided at the District of Columbia Stadium, that:

> The rapid transit route recently approved by Congress will not serve the riverfront site now designated by the Kennedy Center.
>
> I am sending this information to the distinguished Senator from Pennsylvania [Mr. CLARK]. Yesterday, recognizing the need for accessibility, he recommended that the subway route be altered to provide a station at the Center. This should have been brought up at the time the subway bill was voted a couple of weeks ago. The route of the subway, which does not serve the Center, is part and parcel of the act as passed by the Senate and House and signed by President Johnson. If the Senator's solution is a practical one, that too would require immediate hearings on an amendment of the Rapid Transit Act. Certainly Senator CLARK, who was once the mayor of the great city of Philadelphia, should know that many thousands of Philadelphia Orchestra subscribers travel to the centrally located Academy of Music via the municipal subway which conveniently serves it.

Many competent and concerned observers have repeatedly questioned whether the Regents of the Smithsonian Institution, and the trustees of the Kennedy Center have really given the same quality of sustained thought and planning to the many problems of the Kennedy Center including a subway, jet plane noise, and its location, which the Smithsonian Regents have given to the location of the other art branches of the Smithsonian Institution such as the National Gallery of Art, the National Portrait Gallery, and the National Collection of Fine Arts—not to mention the National Air and Space Museum—which, significantly, are all located in the very heart of Washington for easy and ready access by constituents from all over the Nation. The very same logic which justifies the location of these great institutions in the heart of the Nation's Capital rather than at its periphery, calls for the location of the Kennedy Center in the heart of the city also for it must have public patronage if it is not to become a white elephant and be a continuing financial drain on the public purse in the years ahead.

It is most significant that growing criticism is at last being made of Kennedy Center planning. Both of the trustees from the District of Columbia, where the Center is located, Walter N. Tobriner, President of the Board of Commissioners of the District of Columbia, and William H. Waters, Jr., chairman of the District of Columbia Recreation Board, have joined in supporting Dr. S. Dillon Ripley, in his justified criticism of the planning that has been carried on at the Kennedy Center under Roger L. Stevens. In a letter to Roger L. Stevens under date of November 22, 1965, Dr. Ripley pointed to the views of President Kennedy regarding the role of the Center, a

reminder that was certainly long overdue:

Writing of the Center, President Kennedy said: "It was not conceived as a group of halls and theaters to benefit Washington audiences alone * * *. The Center will, I hope, become in the broadest sense an educational as well as a cultural institution." It was in the spirit of this mandate and of this hope that the Regents of the Smithsonian welcomed the decision to establish the Center as a bureau of the Institution. They stood ready, as they do today, to offer all possible assistance to the Board and officers of the Center in the furtherance of these high objectives. I am writing now in the conviction that, unless positive steps are taken immediately, we will fail to take full advantage of the magnificent opportunities implicit in the Center.

Recently Dr. S. Dillon Ripley advised me that he had brought my bill, H.R. 11785, to provide a subway station at the Kennedy Center, to the attention of Chairman Roger L. Stevens "for any comment he may have on H.R. 11785." Perhaps, now that the report of the National Capital Transportation Agency on the excessive cost of such a subway station has been made public, Mr. Stevens may wish to make his views publicly known on this matter.

President Johnson on February 14, 1966, sent Congress the annual report of the National Capital Transportation Agency, but he did not mention the little matter of a subway station at the Kennedy Center which is essential if it is to be readily accessible to the millions of Americans from all parts of the Nation, and their families, who will wish to attend the Kennedy Center when they visit the Nation's Capital—and 7 million Americans do visit the Nation's Capital each year. Obviously, Chairman Roger L. Stevens has not mentioned the matter of a subway station to the President, for, in his letter transmitting to Congress the annual report of the National Capital Transportation Agency, President Johnson said:

> The Congress can be assured, however, that all of these problems are being given the fullest and most diligent consideration, and that none of them will be allowed to stand in the way of an uninterrupted schedule of construction.

I feel that my own concern about the location of the Kennedy Center is fully supported by the report of Walter J. McCarter, Administrator, National Capital Transportation Agency, and by the letter Dr. S. Dillon Ripley sent to Roger L. Stevens last November.

The Congress and the trustees of the Kennedy Center should review the present plans. We are told it would be costly to do so—yes, it would be at some cost, but it would save millions of dollars in an effort to bail out an economically infeasible location as experience dictates.

I include as part of my remarks the following items:

NATIONAL CAPITAL
TRANSPORTATION AGENCY,
Washington, D.C., February 16, 1966.

Hon. WILLIAM B. WIDNALL,
House of Representatives,
Washington, D.C.

DEAR MR. WIDNALL: Because of the questions which you and others have raised concerning the nature of rail rapid transit service to the John F. Kennedy Center for the Performing Arts, and more particularly concerning the feasibility of including in rapid transit plans a station within or contiguous to the Center, this Agency has again considered the matter and we are now able to report on the results of our efforts.

The transit system authorized by Congress will provide the Center with service from the station authorized by Congress at 23d and H Streets NW. Service to the Center will be in keeping with the objective standards by which the Agency designed the downtown distribution pattern which appears in the Agency's report of November 1, 1962. Then and now we feel it would be inconsistent to design the system to render specialized service.

Rapid transit serves best when it serves the greatest number of people daily and in the usual course of community affairs. To obtain maximum revenues for the heavy investment required for the system—and to render maximum service to the community—a system was designed primarily to serve commuters and shoppers having downtown as their destinations. These will be constantly recurring trips; on an annual basis the time saved by the public will be immense.

Certain anchor points for the system were selected; one of them the Capitol. Another anchor point is Rosslyn, Va., an impressive center of employment and development only 4 minutes from downtown Washington by transit and an ideal base point for transit lines to be extended ultimately throughout northern Virginia. It is the line from downtown to Rosslyn which will serve the Cultural Center and provide service according to the standards adopted for the entire system.

In the 1962 plan the station locations in the center city were selected on the basis of circumstances expected to obtain in the year 1980, using National Capital Regional Planning Council, Washington Metropolitan Area Transportation Study and local planning agency projections concerning the extent and location of employment. Upon reference to the 1962 report it will be seen that 68 percent of downtown jobs in 1980 would be within a 5-minute walk (1,250 feet) of a transit station, and 92 percent of those jobs within an 8-minute walk (2,000 feet). We find a walk of approximately 6 minutes required for a distance of somewhat under 1,500 feet from our 23d and H Street station to the Cultural Center. Thus, although not situated immediately adjacent to a station of the system, the Center will be well within the normal service area of a station already authorized by Congress. The distance of the Center from the nearest station is consistent with the distance of various other attractions in the city from other center city stations.

In their own interests, the Center may wish to enhance the relationship to the station by constructing a pleasant above-ground walkway from the station to the Center along the principal avenue of approach. Such a walk would afford patrons arriving by transit a stimulating view of the building and its riverside setting. It may be worth mention that a very handsome approach for pedestrians has been planned by the staff of the National Capital Planning Commission.

In contrast, if the station were adjacent to or under the Center, the approach for patrons would be through the basement of the building with no opportunity for them to experience and to respond to the beauty of the Center and to the meaning of the Center as a memorial to President Kennedy.

In the planning activities of the agency it has been contemplated—and it remains so—that the Rosslyn line is to be placed in operation in 1972, with construction to begin in 1970. Design of the Rosslyn line and its stations will be initiated about 2 years before construction begins. As with stations on other lines, the exact location of the station proposed at 23d and H Streets has not been finally determined upon and location will be fixed as engineering and other details affecting location are more precisely determined.

The determination of these details is, of course, a continuing process and decisions thus far have been based upon matters already ascertained. Present station locations and system alinement have been selected on the basis of objective standards as to service, prudence in investment, and feasibility and efficiency of engineering and operations. Any change in the proposals must take into account the effect upon investment, the effect upon operating costs, and the nature of the service which might be accomplished by the change. To provide specialized transportation service to the center would be very costly in terms of initial construction and would increase operating and maintenance costs throughout the years.

In our reexamination of the alinement of the Rosslyn line and its stations we continue to feel that the physical task and the costs which would be involved in rerouting the authorized system to serve a station in the basement of the Cultural Center would be of formidable dimension. It would be necessary to reroute the line to proceed southwesterly from the presently authorized station at 18th and H Streets NW., under approximately 41 parcels of property (including 20 parcels owned by the George Washington University) and to enter the alinement of F Street at 21st Street. A new station would be required in the vicinity of 22d Street and F Street to replace the station lost at 23d and H Streets. The route would then continue underground to the Cultural Center station and thence under the Potomac River to the presently authorized station beneath Rosslyn.

This change in the system would increase construction, operating, maintenance, and land acquisition costs. Revenues would not be increased to compensate for those added costs. The quality of service rendered to 30 million riders each year on the presently authorized line would be impaired to serve the modest additional number of Cultural Center patrons who might ride rail transit if a station were in the basement of the center instead of at nearby 23d and H Streets.

Increased construction costs would result from the longer subway construction (1,360 feet), the additional Cultural Center station, and more difficult engineering problems relating to curves, grades, and geological conditions. The increased cost of this realinement is estimated at $12.3 million, but this added cost will be even greater if:

1. The George Washington University and others insist upon compensation for easements on a "highest and best use" or other expensive basis;

2. Buildings in the Columbia Plaza development currently under construction must be underpinned;

3. Detailed soils investigation of the difficult geological site of a Cultural Center station disclose further problems in addition to those currently assumed.

Increased operating and maintenance costs would result from the added stop and the longer run. Service would be slowed approximately 1¾ minutes between the 18th and H Streets station and northern Virginia due to the increased running time and additional stopping time. Slower service invariably decreases patronage and hence decreases revenues, all other factors being equal.

In our view, no increase in transit patronage can be expected for realinement. The number of new passengers picked up on the realined route would be offset by an approximately equal number of passengers lost from the 23d and H Streets community and those lost due to slower travel times, while the intermittent rail transit volume from Cul-

tural Center patrons would be speculative since attendance at the center would vary with the box office success of the various attractions. And, whatever degree of success the Center might enjoy, with rail transit available at the 23d and H Streets station within reasonable walking distance of the Center, rail patrons will be assured of service without the expense which realinement would entail.

It is my sincere hope that this discussion provides you with helpful information. The Agency is at your disposal for any additional information or assistance you may require.

Sincerely yours,

WALTER J. MCCARTER, *Administrator.*

SMITHSONIAN INSTITUTION,
Washington, D.C., November 22, 1965.

Mr. ROGER L. STEVENS,
Chairman of the Board, John F. Kennedy Center for the Performing Arts, Washington, D.C.

DEAR ROGER: I am writing to raise with you once again issues of the most fundamental importance for the John F. Kennedy Center.

Public Law 85–874, which established the National Cultural Center, instructs the Board to: (1) present classical and contemporary music, opera, drama, dance, and poetry from this and other countries; (2) present lectures and other programs; (3) develop programs for children and youth and the elderly (and for other age groups as well) in such arts designed specifically for their participation, education, and recreation; and (4) provide facilities for other civil activities at the Cultural Center.

Writing of the Center, President Kennedy said: "It was not conceived as a group of halls and theaters to benefit Washington audiences alone * * *. The Center will, I hope, become in the broadest sense an educational as well as a cultural institution." It was in the spirit of this mandate and of this hope that the Regents of the Smithsonian welcomed the decision to establish the Center as a bureau of the Institution. They stood ready, as they do today, to offer all possible assistance to the Board and officers of the Center in the furtherance of these high objectives. I am writing now in the conviction that, unless positive steps are taken immediately, we will fail to take full advantage of the magnificent opportunities implicit in the Center.

In March 1964, I wrote to you as President of the Board to call attention to some of the educational possibilities of the Center and to record the Smithsonian's special interest in assisting in the realization of these possibilities. In the intervening months I have continued my efforts to focus attention on this aspect of planning for the Center. In April of this year, for example, I wrote to you:

I would like to reemphasize at this time the interest which we at the Smithsonian have in plans for the John F. Kennedy Center for the Performing Arts.

The Smithsonian is particularly interested in cooperating with the Kennedy Center in "off-hour" and "off-season" programing of an educational nature to supplement the normal programing at the Center.

At that time I forwarded an eight-page memorandum outlining possible educational activities.

Again in May I wrote, "As you know, the Smithsonian Institution is much interested in the possibilities of the Center's educational potential." At that time I suggested the possibilities of the appointment of an assistant or associate director responsible "for educational programs, for lectures, and similar public events providing for contact with the visitors." Now that we seem to be nearing the time for the appointment of the Center's artistic director, and now that physical construction of the Center is about to begin, I feel that I must once again raise the general question of the objectives and programs of the Center.

I cannot emphasize too strongly my conviction that what is at stake here is not the question of whether some educational activities will be included here and there in the Center's program, but rather the question of what the Center itself is all about. Unless all of our actions—the formulation of the program, the choice of director, the design of the physical facilities—are informed by an imaginative regard for creativity and a deep sense of social responsibility, I very much fear that all our energies and expenditures will produce nothing but a lifeless marble shell.

An examination of the plans for the building and of the program committee's guidelines suggests very strongly that the Center is now coming to be viewed primarily as a showcase for works created somewhere else and brought here briefly for the pleasure or edification of local audiences. Only the most limited provision has been made for rehearsal rooms, workshops, studios, and the other facilities required for the creation of works of art, rather than simply for their performance. This impression that the Center is thought of as a passive receptacle for shows from elsewhere, rather than as an active generator of new works and new productions, is confirmed by the guidelines:

The Center * * * should seek out and sponsor the best in American music, theater, opera, dance, and film; it should provide a sendoff for American performing groups sent abroad * * * it should open its facilities to foreign governments * * * etc.

None of these is in any way an unworthy or inappropriate activity, but what is striking is that the guidelines leave so little room for anything more positive or creative.

Accepting for the moment the notion that the Center should be devoted to the display rather than the creation of works of performing art, we may ask to whom these works will be displayed. Do the guidelines offer any clues as to the nature of the proposed audience? The seventh guideline states, in rather equivocal language, that the Center: Should make available a fair amount of seats in the performing halls at low prices for students, young people, and those in straitened circumstances.

Does fair mean equitable, and, if so, what is an equitable amount of seats? Or, does fair mean just passable? And do we propose to administer a means test at our ticket windows? Taken together, the architecture and the guidelines give the impression of a grudging acceptance of the necessity of doing something for some of those who cannot or do not normally frequent our centers of culture. What is totally absent is an emphatic statement of a determination to do something for this, the great majority of our city and our country. And something in this context must mean more than merely reducing prices.

What, then, of the legislative mandate to develop programs "designed specifically for participation, education, and recreation"? Here again the guidelines are almost completely silent. Apart from passing references to "exhibits relating to the performing arts," and "educational programs in the arts," nothing is said of any of the possible programs that might be used to involve large numbers of people in the Center's activities. On the contrary, the guidelines explicitly state that:

The Center, while recognizing its responsibility to welcome and encourage Washington-based performing groups, should not give these groups permanent prerogatives or facilities.

Although the precise meaning of these words is unclear, the tone again is one of acceptance of a minimal responsibility. This refusal to make any commitment to local performing groups seems virtually to eliminate all possibility of repertory companies and of wide popular participation in the artistic work of the Center.

Taken together, the impression of the proposed activities of the Center deviates widely from objectives of the Smithsonian Institution in its concern for all the people. The concept of providing a splendid showcase for the very best performances is certainly not a contemptible one. By all means let some of the 52 weeks of the year be devoted to this objective. But if all we are doing is creating a more lavish setting for what already goes on in Washington, of saving people the trouble of traveling to New York to go to the theater or the opera, surely we are neglecting the great opportunity that has been given us to do something that will really make a difference in the life of the Capital and of the Nation.

It is possible here only to suggest a few of the things that might be done to meet the responsibilities implicit in the direction of the John F. Kennedy Center for the Performing Arts.

One thinks, for example, of the imaginative Theater National Populaire of Jean Vilar. Here, in a single weekend, at a cost of about $4, one may attend a concert, have a cold dinner and see a play on Saturday, and on Sunday take part in a discussion involving actors and audience, attend a matinee, an evening performance and a dance. Here special school matinees, including discussions of the play to be performed, are regularly held; here the building and snackbar are opened at 6:30 and there is an early curtain so that theatergoers may get home on public transportation, and in time to work the next day; here ordinary performances cost from 20 cents to $1. Here, in short, a deliberate and imaginative effort has been made to involve the poor, and the rest of the nontheatergoing population. Now a similar Theater Lyrique Populaire, also under Vilar's direction, is being built for opera performances.

While Vilar's scheme is not something to be slavishly imitated, it does show an awareness of public needs and an imaginative determination to meet these needs which would be welcome in the current planning for the Kennedy Center.

Surely some program of this kind could be developed for the people of Washington and, particularly in the summertime, for the hundreds of thousands of tourists who come here to visit—often from parts of the country in which performances of high quality are simply not available. Attractive "packages" of artistic performances, educational events and recreation could be devised; tickets could be made readily available throughout the country—perhaps at post offices—at modest prices; other cultural, educational and recreational attractions of the Washington area could be included in these "packages."

As another example, one thinks of the extraordinary success of New York City's Shakespeare in the Park and Philharmonic in the Park programs, which have attracted huge audiences by making free performances available. Should not the magnificent facilities of the Kennedy Center be used, at least occasionally, in the same way?

The French-American Festival under the direction of Lukas Foss at the Lincoln Center last summer attracted a new kind of audience to Philharmonic Hall. Washington is surely a natural setting for events of this sort.

Again, one thinks of the almost unlimited educational opportunities at all levels that might be offered by the Center. Playwrights and composers-in-residence, performances by and for children, exhibits, classes, lectures, apprenticeships—all these should be viewed not as ancillary activities to be reluctantly fitted in among the "important" events of

the year, but rather as the very heart of the Center's program.

The direction of a center for the performing arts raises choices strikingly similar to those that are faced by every museum director: choices between passive display and active education, between mere curatorship and creative scholarship, between stylish exclusiveness and broad inclusiveness. It is vitally important, I repeat, that the Kennedy Center, like the Smithsonian itself, should make its choices in a mood of imaginative creativity and with a deep sense of its responsibility to the local community and to the Nation.

Sincerely yours,

S. DILLON RIPLEY, *Secretary.*

[From the Washington Post, Dec. 19, 1965]

BROADER AUDIENCE ASKED OF PLANNERS FOR KENNEDY CENTER

S. Dillon Ripley, Secretary of the Smithsonian Institution, has urged planners of the John F. Kennedy Center for the Performing Arts to give greater consideration to the educational and recreational needs of tourists and Washington residents.

In a letter to Roger L. Stevens, Chairman of the Center's Board of Trustees, Ripley, an ex officio member of the Board, expressed concern that in planning the Center more attention be given to creation of works of art, providing low prices for students and poor people, and making use of the hall for educational and recreational events.

Ripley said yesterday the letter was intended as a guide to the Trustees in choosing an artistic director for the Center, which is expected to occur within the next month. Copies of the letter, dated November 22, were distributed to the press by Representative WILLIAM B. WIDNALL, Republican, of New Jersey, who obtained it from one of the Trustees. WIDNALL has been a vocal critic of both the Center's plans and location.

The Kennedy Center is technically a branch of the Smithsonian.

Ripley's letter said that "unless all of our actions—the formulation of the program, the choice of director, the design of the physical facilities—are informed by an imaginative regard for creativity and a deep sense of social responsibility, I very much fear that all our energies and expenditures will produce nothing but a lifeless marble shell."

Ripley said yesterday he wrote Stevens after seeing the building plans and a set of preliminary guidelines circulated among the Trustees by the Center's Program Committee, the body that is now sifting names for an artistic director.

"I got the feeling that it was being planned for a snappy kind of people coming up in mink coats," he said. "With a 12-month situation there are going to be plenty of everyday occasions when something can be done for the rest of the population."

Ripley made these points in his letter:

An examination of building plans and the guidelines "suggests very strongly that the Center is now coming to be viewed primarily as a showcase for works created somewhere else and brought here briefly for the pleasure and edification of local audiences. Only the most limited provision has been made for rehearsal rooms, workshops, studios."

Not enough attention is being given to encourage a broad range of audience for Center activities. "What is totally absent is an emphatic statement of a determination to do something for this, the great majority of our city and country."

Ripley offered as model the Theater National Populaire in France which offers weekend "packages" for a minimal rate. These include, at a cost of about $4, several performances, meals, and discussions involving actors and audience.

"But if all we are doing is creating a more lavish setting for what already goes on in Washington * * * surely we are neglecting the great opportunity that has been given to us" he said.

[From the Washington Post, Jan. 22, 1966]

NATIONAL COMMUNITY USE URGED FOR KENNEDY CENTER

(By Leroy F. Aarons)

Commissioner Walter N. Tobriner said yesterday the John F. Kennedy Center for the Performing Arts cannot be allowed to become "a marble palace," but must be a "national community house for all the people in the city and the country."

Tobriner thus joined the growing argument over how "democratic" the Center should be, lending his strong endorsement to a November 22 letter from S. Dillon Ripley, Secretary of the Smithsonian Institution, to Roger L. Stevens, Chairman of the Center's Board of Trustees.

FEARS EXCLUSION

Ripley in his letter expressed a fear that the Kennedy Center would cater exclusively to those who can afford high-priced artistic events at the expense of students and the poor. He urged that provision be made for low-priced tickets and off-season cultural and recreational activities involving local residents and tourists.

Tobriner, who with Ripley is an ex officio member of the Center Board, said he is concerned that the Center's planners may be going off in the wrong direction. In a letter this week to George Frain, legislative aid to Representative WILLIAM B. WIDNALL, Tobriner said he envisions the Center "as a settlement house for the arts."

Tobriner told a reporter yesterday he intends to bring the matter up at the Board's next meeting on February 7.

Support for Ripley's position also came yesterday from William H. Waters, president of the District of Columbia Recreation Board. Waters, too, is an ex officio member of the Center Board.

AMEND GUIDELINES

In a letter to Stevens, Waters proposed that the Center amend its guidelines to provide time and space for present Recreation Board-sponsored activities, such as the Children's Theater, the Shakespeare Summer Festival, the Washington Ballet, and others.

He also suggested that "at an appropriate time" the Center seek funds to build an annex to house rehearsal, storage, and workshop facilities for Washington-based performing groups.

Waters cited Congress' decision to make the President of the District of Columbia Board of Commissioners and the Recreation Board chief members of the Center Board in the basic legislation as evidence that "Washington does have a special interest in and a special claim upon the Center's facilities, perhaps even a priority in access to them and in arrangements, financial and other, under which these facilities are made available."

Waters noted that many Recreation Board-sponsored activities are off season "and can be scheduled at a time when there would be a minimum conflict in bookings with the high budget, imported attractions which the Center will quite properly accommodate."

He added that with the Center's limited funds, additional appropriation or endowment money would be needed to accommodate the local program, and urged that steps be taken in that direction "at the earliest appropriate time."

Stevens, reached in New York, said he had not read the Waters letter and could not comment.

Ripley's letter to Stevens was a private communication, but a copy was obtained by Representative WIDNALL. WIDNALL has been a vocal critic of the Center's site and program plans.

Ripley later said that the strongly worded letter was designed as a guideline to the Center's trustees in choosing an artistic director. It was learned this week that selection of a director is still distant.

[From the Washington Sunday Star, Dec. 19, 1965]

KENNEDY CENTER OUTLOOK CALLED "LIFELESS" BY RIPLEY

(By Betty James)

The John F. Kennedy Center for the Performing Arts is in danger of becoming "a lifeless marble shell" and "a passive receptacle for shows from elsewhere," Dr. S. Dillon Ripley, Secretary of the Smithsonian Institution, believes.

Dr. Ripley sounded his warning in a letter to Roger L. Stevens, Chairman of the Board of Trustees of the Center.

The letter was made public yesterday by the office of Representative WILLIAM B. WIDNALL, Republican, of New Jersey. WIDNALL'S office said it was made available to the Congressman by a member of the Board of the Center, who told WIDNALL the letter is being circulated by Ripley to the trustees for comment.

WIDNALL has introduced a bill to relocate the Center, scheduled to be built along the Potomac River, to near Pennsylvania Avenue, which he says has "a vital and identifiable relationship to President Kennedy. Such a location also would be readily accessible to several million more citizens a year," he said.

RECALLS KENNEDY'S WISH

Ripley addressed himself to the way in which the Center would be used. President Kennedy himself, he noted, said it should become an educational as well as a cultural institution. And it was in the spirit of this mandate that the regents of the Smithsonian welcomed the decision to establish the Center as a bureau of the Institution, Ripley wrote Stevens.

Ripley is an ex officio member of the Center Board.

"I am writing now in the conviction that, unless positive steps are taken immediately, we will fail to take full advantage of the magnificent opportunities implicit in the Center," he said.

An examination of the plans for the building and of the program committee's guidelines suggests very strongly that the Center now is coming to be viewed primarily "as a showcase for works created somewhere else and brought here briefly for the pleasure or edification of local audiences," Ripley said.

SEES PROVISIONS LIMITED

"Only the most limited provision has been made for rehearsal rooms, workshops, studios, and the other facilities required for the creation of works of art, rather than simply for their performance," he added.

The guidelines are almost completely silent on any of the possible programs that might be used to involve large numbers of people in the Center's activities, although the legislative mandate calls for developing programs "designed specifically for * * * participation, education, and recreation," he said.

Ripley also complained about references in the guidelines to providing "a fair amount of seats * * * at low prices for students, young people, and those in straitened circumstances."

He asked, "Does 'fair' mean 'equitable'? and if so, what is an equitable amount of seats? Or, does fair mean just 'passable'? And do we propose to administer a means test at our ticket windows?"

Ripley declared, "Taken together, the impression of the proposed activities of the Center deviates widely from objectives of the Smithsonian Institution in its concern for all the people.

"The concept of providing a splendid showcase for the very best performances is certainly not a contemptible one. By all means let some of the 52 weeks of the year be devoted to this objective.

NEGLECTING OPPORTUNITY

"But if all we are doing is creating a more lavish setting for what already goes on in Washington, or saving people the trouble of traveling to New York to go to the theater or the opera, surely we are neglecting the great opportunity that has been given us to do something that will really make a difference in the life of the Capital and of the Nation."

As an example of the kind of thing the Center should be considering, Ripley cited the Theater National Populaire of Jean Vilar.

"Here, in a single weekend, at a cost of about $4, one may attend a concert, have a cold dinner, and see a play on Saturday, and on Sunday take part in a discussion involving actors and audience, attend a matinee, and evening performance and a dance," he said.

The building and snack bar are opened at 6:30 and there is an early curtain so theater goers may get home on public transportation, and in time to work the next day; ordinary performances cost from 20 cents to $1, he said.

"Here, in short, a deliberate and imaginative effort has been made to involve the poor, and the rest of the nontheatergoing population," Ripley said.

FAVORS WIDE SALE

This kind of program could be developed by the Center, and the hundreds of thousands of tourists planning visits to Washington could be given a chance to buy tickets at home, perhaps at post offices, at modest prices, he said.

Playwrights and composers in residence, performances by and for children, lectures, apprenticeships, all should be viewed "not as ancillary activities to be reluctantly fitted in among the 'important' events of the year, but rather as the very hearts of the Center's program," Ripley said.

HOUSE FOLDING ROOM

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SKUBITZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, someone needs to update the old saying that "haste makes waste." With the situation facing the House folding room, a more appropriate statement would be that "waiting is a worse waste." Of what use is it to a Member of Congress to mail an end of the session report, if it is not mailed until mid-February?

This is no laughing matter. Yesterday on a visit to the folding room I found just this very situation. For myself I was checking to see how the folding and inserting of my annual questionnaire was proceeding. These operations are no small concern. Let me stress that this was not a taxpayer's expense. But it is a waste of the taxpayer's time and a Congressman's money if this correspondence is not mailed until it becomes outdated.

Let me hasten to stress that this is not the fault of the hard-working employees in the folding room or their chief, Mr. Eli Bjellos. These people are working 12- and 14-hour shifts with no extra pay for overtime. Instead of providing funds for extra shifts and overtime as our colleagues on the other side of the Capitol do, Members of the House are frugal with their appropriations and lavish with their demands.

To meet this need it has been necessary to resort to forcing crews to work overtime without pay and to even impose on the already overburdened Government Printing Office to help fold, stuff, and seal correspondence from Members of Congress.

For lack of storage space the folding room has been forced to store thousands upon thousands of envelopes, newsletters, questionnaires and other correspondence in the halls adjoining the House folding room, thus creating a fire and health hazard.

I want to compliment the folding room and suggest a more realistic appropriation be considered next year.

ARMENIAN REVOLT AGAINST THE SOVIETS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, tomorrow Armenians and their friends throughout the world will commemorate the 45th anniversary of the Armenian people's revolt against the Soviet Union. Unfortunately, despite their heroism, the brave Armenians were overcome by force of arms and remain to this day captives of communism. Of course, they are forbidden to celebrate this great day in their history by their present Red tyrants.

We must rededicate ourselves to our efforts to see that freedom is restored to the brave Armenian people and all the other captives of communism. One effective method of calling the world's attention to the captivity of millions of Armenians and other peoples would be for the House to establish a Special Committee on Captive Nations. The distinguished gentleman from Pennsylvania [Mr. FLOOD] and I have been urging the establishment of such a committee for years, but so far have met with the resistance of the administration and Democrat congressional leaders to this proposal.

The uprising of the Armenian people in 1921 was especially tragic since the Soviets had seized their land only 2 months earlier under the guise of protecting it. Freedom-loving people everywhere share the desire of the Armenians to be free and independent, and we must take practical steps to keep up their courage and determination.

The Voice of America should provide lengthier and more effective broadcasts to pierce the wall of Communist propaganda and deliver the truth to the people of Armenia. As we know, Mr. Speaker, in recent years the Voice of America has been cutting back both its hours of broadcast in the Armenian language and in the nature of these broadcasts. The Voice of America gives daily straight news and is fearful of offending the Soviet Union under present administration policy. However, the brave people of Armenia deserve the truth. The Voice of America should be a vehicle for delivering the message of truth to them so that they would not be brainwashed and their resistance weakened by the constant propaganda from their tyrannical Moscow oppressors.

CONCENTRATION CAMP FOR DOGS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MINSHALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the devotion of a dog to his master is scarcely greater than the average American's devotion to the family dog or cat. It is certainly evident in the volume of mail I am receiving in the wake of Life magazine's February 4 article, "Concentration Camp for Dogs." Like so many of my constituents I am saddened and outraged by the inhumanity exposed in this excellent picture story.

The Minshall family has always had household pets, the usual gamut of dogs, cats, rabbits, and the like. We currently are the proud owners of Chessie, a Chesapeake Bay Retriever, and of Fritz, a cat of dubious ancestry. We would not want to part with either of them.

None of the conditions exposed in the Life article is new. Ever since I first came to Congress in 1955 we have had legislation pending to enact strong penalties for the theft and inhumane treatment of animals. I have answered literally thousands of letters from concerned pet owners over the years, assuring them of my interest in seeing such laws enacted. Yet the bills have stayed in committee.

I am today introducing identical legislation and urge other interested colleagues to do likewise, in the hope that this will spur remedial action by the Congress this year.

PUBLIC HEALTH SERVICE ACT

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FINO. Mr. Speaker, I am today introducing legislation to amend the Public Health Service Act to establish a program under which States may be assisted in developing programs for the detection of the illegal use of drugs by students.

The best way to get to the problem of narcotics addiction is to get to the root

of the problem. The legislation I am introducing would provide for Federal grants to States in order that the States may set up programs for the examination of schoolchildren for narcotics addiction. The State programs would have two facets—they would concentrate on periodic examinations of those schoolchildren who voluntarily submitted to examination and they would underwrite educational work in the schools in connection with narcotics addiction and what it can do.

The question of compulsory examination of students is complicated by possible constitutional difficulties, although that is clearly the best way to catch addiction or keep it from ever starting. The next best thing to this would be State programs which would be compulsory except on production of a note from the student's parents. This would satisfy any constitutional problems and it would expose any student in high schools and elementary schools to a choice between examination or a note from his parents. This two-sided pressure would, I am sure, cut down on narcotics addiction.

I am hopeful that Congress will view these proposed programs favorably. I think that they would make inroads on our Nation's growing dope addiction problem.

HOUSE REPUBLICAN TASK FORCE ON AGRICULTURE

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, on Monday of this week, the House Republican Task Force on Agriculture recommended two steps aimed at simplifying and streamlining the present maze of farm laws and regulations.

The first part of our recommendation is that titles 7 and 16 of the United States Code should be codified into permanent law. In the process, various obsolete provisions should be dropped, confusing verbiage should be clarified, and a logical streamlining of this statutory material should be made.

Second, the Office of the General Counsel of the Department of Agriculture should prepare and distribute a concise and accurate digest of agricultural laws, explaining how and to whom they apply, the functions of the appropriate agency in the Government which administers each law, the procedures for appearance and appeal within the Department, together with other pertinent information which would be useful to farmers, the general public, the press, the legal profession, the universities, and Members of Congress.

The task force report on this subject lists several examples of confusing, illogical, and obsolete provisions that now appear in the agricultural law books.

One curious provision of agricultural law mentions "corn" eight separate times—then a footnote explains that the word "corn" really means "wheat."

It is no wonder, Mr. Speaker, that many farmers—as well as city people—get lost in this jungle of legal mumbo-jumbo. Certainly the law can speak plainer than that.

With a 4-year farm program presently in effect, now would be an ideal time for Congress to act promptly to get our farm laws in order. Clarity is a prime requisite to an understanding of any law. With the complexities and great economic significance of farm laws these days, it is essential that they be clearly understood by everyone.

Mr. Speaker, I ask that the full text of the minority agriculture task force report be included in the RECORD at this point.

A HOUSE REPUBLICAN TASK FORCE REPORT: LET'S SIMPLIFY OUR FARM LAWS

An indignant farmer reportedly wrote to his Congressman recently and said: "I just visited the ASC committee and some ninny down there told me that oats wasn't a feed grain, would you please explain that to my mule, I sure can't."

Of course, oats are a feed grain in the everyday world that farmers live in, but under the Government's farm program "feed grains" are defined as follows:

"The term 'feed grains' means corn, grain sorghums, and if designated by the Secretary, barley, and if for any crop the producer so requests for purposes of having acreage devoted to the production of wheat considered as devoted to the production of feed grains, pursuant to the provisions of section 328 of the Food and Agriculture Act of 1962, the term 'feed grains' shall include oats and rye and barley if not designated by the Secretary as provided above: *Provided*, That acreages of corn, grain sorghums, and if designated by the Secretary, barley, shall not be planted in lieu of acreages of oats and rye and barley if not designated by the Secretary as provided above: *Provided further*, That the acreage devoted to the production of wheat shall not be considered as an acreage of feed grains for purposes of establishing the feed grain base acreage for the farm for subsequent crops." [1]

It's no wonder that the farmer and his mule were confused. They aren't alone. Other farmers as well as lawyers, Members of Congress, college professors, lobbyists, Department of Agriculture employees, and the public often have a great deal of difficulty in trying to understand and interpret our maze of farm laws and regulations.

The noted public opinion analyst and writer, Mr. Samuel Lubell, has commented on this lack of understanding as follows:

"For most of the urban population the farm problem doesn't come into focus. It's just one blurred image after another. Mainly, I believe, this can be traced to two things—a general feeling of futility that anything effective can be done about the farm problem and second, that urban people find it extremely difficult to identify personally with the farm problem. * * * Today it is relatively rare to meet someone who even knows anyone who does any farming. Many agricultural phrases sound like a foreign language." [2]

We recognize, of course, that our whole way of life is becoming more complex and intricate and that those good old simple days are gone forever. But that doesn't mean we should allow our agricultural programs to become so confusing that their terminology sounds like a foreign language.

Certainly we must have some degree of complexity and technicality in a body of law as large and far-reaching as is that which is administered by the U.S. Department of Agriculture. Complexity cannot be avoided, but our laws and programs can and should be logically organized, simplified, and where possible streamlined.

The need for better understanding and clearer communication is obvious. If farmers specifically and the public generally do not understand the programs which are in effect, these programs are simply going to be ineffective.

While there are many examples of confusing and inarticulate provisions in our various farm laws, the most flagrant and repeated offenders are obsolete provisions, confusing verbiage, and illogical organization.

OBSOLETE PROVISIONS

Our farm laws are full of obsolete provisions that not only occupy space and require unnecessary printing but also cause avoidable confusion.

In the latest edition of the United States Code (1964) there are some six pages of text dealing with the 1961 through 1965 feed grain programs. While some of these provisions are still of legal significance, most of this material is now obsolete and is only of historical interest at best.[3]

Normally one would expect to find the statutory reference to feed grains somewhere in title 7 of the United States Code (which is devoted to agriculture). Not so, however, in this case. The feed grain program, for some inexplicable reason, is carried in title 16—Conservation. Other commodity programs, however, appear in title 7.

CONFUSING VERBIAGE

A classic example of a provision containing confusing verbiage is found in the Agricultural Adjustment Act of 1938, as amended. When one reads section 326 of that statute, he gets the distinct impression that it has something to do with corn. It reads as follows.

"SEC. 326. (a) Whenever in any county or other area the Secretary finds that the actual production of corn plus the amount of corn stored under seal in such county or other area is less than the normal production of the marketing percentage of the farm acreage allotments in such county or other area the Secretary shall terminate farm marketing quotas for corn in such county or other area.

"(b) Whenever, upon any farm, the actual production of the acreage of corn is less than the normal production of the marketing percentage of the farm acreage allotment, there may be marketed, without penalty, from such farm an amount of corn from the corn stored under seal pursuant to section 324 which, together with the actual production of the then current crop, will equal the normal production of the marketing percentage of the farm acreage allotment.

"(c) Whenever, in any marketing year, marketing quotas are not in effect with respect to the crop of corn produced in the calendar year in which such marketing year begins, all marketing quotas applicable to previous crops of corn shall be terminated."

As things turn out, however, this section has nothing whatsoever to do with corn. The Agricultural Act of 1954 repealed its application to corn, but still another farm bill came along to make paragraphs (b) and (c) applicable to wheat.

Thus in a section of law which mentions the word "corn" eight separate times, the reader is advised by a footnote that "corn"

[1] Sec. 16(i) of the Soil Conservation and Domestic Allotment Act, as amended by Public Law 89-321, approved Nov. 3, 1965.

[2] Remarks of Samuel Lubell, "Third Annual Farm Policy Review Conference, December 1962," Ames, Iowa, CAEA report 16, p. 138.

[3] 16 U.S.C. 590(p)(c), 590(p)(d), 590(p)(e), 590(p)(f), 590(p)(g), 590(p)(h).

for the purposes of this section really means "wheat." [4]

ILLOGICAL ORGANIZATION

If you are really interested in decoding puzzles, take a look at section 8C(2) of the Agricultural Adjustment Act of 1933, as amended, reenacted and supplemented by the Agricultural Marketing Agreement Act of 1937, as amended. Then try to decide whether or not this section, which lists the commodities that are covered by marketing orders, really applies to apples produced in Minnesota for canning or freezing. (No cheating now, only 10 readings allowed.)

Here is what it says:

COMMODITIES TO WHICH APPLICABLE

"(2) Orders issued pursuant to this section shall be applicable only to (A) the following agricultural commodities and the products thereof (except canned or frozen grapefruit, cherries, apples, or cranberries, the products of naval stores, and the products of honeybees), or to any regional, or market classification of any such commodity or product: Milk, fruits (including filberts, almonds, pecans and walnuts but not including apples, other than apples produced in the States of Washington, Oregon, Idaho, New York, Michigan, Maryland, New Jersey, Indiana, California, Maine, Vermont, New Hampshire Rhode Island, Massachusetts, and Connecticut, and not including fruits for canning or freezing other than olives, grapefruit, cherries, cranberries, and apples produced in the States named above except Washington, Oregon, and Idaho), tobacco, vegetables (not including vegetables, other than asparagus, for canning or freezing), hops, honeybees and naval stores as included in the Naval Stores Act and standards established thereunder (including refined or partially refined oleoresin): *Provided*, That no order issued pursuant to this section shall be effective as to any grapefruit for canning or freezing unless the Secretary of Agriculture determines, in addition to other findings and determinations required by this Act, that the issuance of such order is approved or favored by the processors who, during a representative period determined by the Secretary, have been engaged in canning or freezing such commodity for market and have canned or frozen for market more than 50 per centum of the total volume of such commodity canned or frozen for market during such representative period; and (B) any agricultural commodity (except honey, cotton, rice, wheat, corn, grain sorghums, oats, barley, rye, sugarcane, sugarbeets, wool, mohair, livestock, soybeans, cottonseed, flaxseed, poultry (but not excepting turkeys), eggs (but not excepting turkey hatching eggs), fruits and vegetables for canning or freezing, and apples), or any regional or market classification thereof, not subject to orders under (A) of this paragraph, but not the products (including canned or frozen commodities or products) thereof. No order issued pursuant to this section shall be effective as to cherries, apples, or cranberries for canning or freezing unless the Secretary of Agriculture determines, in addition to other required findings and determinations, that the issuance of such order is approved or favored by processors who, during a representative period determined by the Secretary, have engaged in canning or freezing such commodity for market and have frozen or canned more than 50 per centum of the total volume of the commodity to be regulated which was canned or frozen within the production area, or marketed within the marketing area, defined in such order, during such representative period. No order issued pursuant to this section shall be applicable to peanuts produced in more than one of the following production areas: the Virginia-Carolina production area, the Southeast production area, and the Southwest production area. If the Secretary determines that the declared policy of the title will be better achieved, thereby (i) the commodities of the same general class and used wholly or in part for the same purposes may be combined and treated as a single commodity and (ii) the portion of an agricultural commodity devoted to or marketed for a particular use or combination of uses, may be treated as a separate agricultural commodity. All agricultural commodities and products covered hereby shall be deemed specified herein for the purposes of section 8c(6) and (7) of this title." [5]

Now you know, apples produced in Minnesota for canning or freezing are not covered by marketing orders.

Wouldn't this section be improved if it were rewritten? Wouldn't it be more clear and logical to say:

Orders shall apply only to the following agricultural commodities and the products thereof:

1. Milk.
2. Fruits (except certain ones).
3. Turkeys.
4. Etc.

WHAT TO DO

While we could belabor other plentiful examples of poor legislative language and delve into all the reasons why our various farm laws got into their present sad state of affairs, we feel this would be of little benefit in correcting the problem. The time has come to do something about the situation.

We therefore make two recommendations.

First, we recommend that titles 7 and 16 be codified into permanent law during this session of the 89th Congress. As every lawyer knows, most titles of the United States Code are only prima facie evidence of the positive law. Only those titles which have been specifically enacted by Congress into positive law are really the law of the land. At present 17 of the 50 titles of the United States Code have been enacted into positive law. [6]

In addition, bills relating to other titles are also being prepared for introduction. When the whole code is finally codified, it will be legal evidence of the general and permanent law and recourse to the numerous volumes of the Statutes at Large, and various public laws will no longer be necessary. [7]

With the passage of a 4-year omnibus farm bill and a 5-year sugar act during the past session, we recommend that Congress deem it both convenient and timely to consider the codification, simplification, and streamlining of all the laws applying to agriculture.

Second, we recommend that the Office of General Counsel of the Department of Agriculture prepare and distribute to the public a digest of our major agricultural laws. This booklet should not be a definitive and precise legal instrument, but, rather, a general description in plain and nonlegalistic language describing the various statutes, how and to whom they apply, the functions of the appropriate agency in the Government which administers each law, the procedures for appearance and appeal within the Department of Agriculture, and other pertinent information which would be of use to practicing attorneys who are not specialized in agricultural law and to interested Members of Congress and the general public.

These two actions—codifying and streamlining titles 7 and 16, together with publishing a concise and accurate digest of agricultural laws, would go a long way toward dispelling the feeling of many people that Mr. Lubell described when he said: "The writing of farm legislation has become a conspiracy against public understanding." [8]

[4] 7 U.S.C. 1326(a), 1326(b), 1326(c), and footnote.

[5] 7 U.S.C. 608(c)(2).

[6] Vol. 1, U.S.C. (1964) p. V (these are: Title 1—General Provisions: Title 3—The President; Title 4—The Flag, The Government, etc.; Title 6—Official and Penal Bonds; Title 9—Arbitration; Title 10—Armed Forces; Title 13—Census; Title 14—Coast Guard; Title 17—Copyrights; Title 18—Crimes and Criminal Procedure; Title 23—Highways; Title 28—Judiciary and Judicial Power: Title 32—National Guard; Title 35—Patents; Title 37—Pay and Allowances of the Uniformed Services; Title 38—Veterans Benefits; and Title 39—The Postal Service).

[7] Ibid. 6, p. IX.

[8] Ibid. 2, p. 140.

TIME TO STOP OUR ALLIES FROM AIDING OUR ENEMIES

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GURNEY. Mr. Speaker, I am introducing a bill to prohibit any vessel or shipping line doing business with the Communists in North Vietnam from carrying U.S. cargoes. The shocking fact that in 1965 there were more free world ships than Communist ships engaging in trade with North Vietnam, makes the legislation which I propose today of vital concern to every American.

The bill I propose today amends the Merchant Marine Act by providing that no article shall be transported aboard vessels of any shipping interest which allows vessels under its control to be used in trade with North Vietnam.

The exact figures for free world shipping into Haiphong are classified information which the State Department will not release to the American people. Ho Chi Minh, Mao Tse-tung, and Kosygin all know, but it is top secret information to be kept from the American people. But through the fog that surrounds the issue, it is clear that our allies are giving invaluable aid to the Vietcong—107 of the 119 allied ships known to have entered the port of Haiphong in 1965 flew flags of NATO countries.

The State Department claims that because much of the material traded is not strategic, this doubledealing by our allies is somehow all right. It seems to me that one does not have to be a trained diplomat to see beyond that argument. The more nonwar goods that are carried on free world ships, the more Communist ships are freed for war materials. It seems equally obvious that to a war economy such as North Vietnam's, the provision of any goods, whether they are war supplies or domestic necessities, is giving them aid and comfort.

Those shipping lines which pick up cargoes in American ports would either have to give up their Vietcong business or ours. Great Britain, probably the worst offender, claims that it has no control over its private shipping lines except in wartime. They have made no move to comply with the official requests of our Government that they cease their

North Vietnam trade. My bill would take the problem out of the hands of the diplomats and the British Government and let us deal directly with the offending shippers.

It is no wonder that Hanoi thinks it can scare the United States out of Vietnam. Although we fight on land, we make no effort to blockade or otherwise prevent our own allies from loading and unloading merchandise in Haiphong. If this would not convince Ho Chi Minh that our involvement there is a half-hearted one, nothing would.

We already have a similar cargo ban on those ships trading with Cuba, and we are not at war with them. Why should we not operate such a blacklist against ships aiding a regime that is daily killing our American boys?

I call upon the Johnson administration for immediate passage of this bill. We are engaged in a major war. We should take the necessary actions to conclude this war. This action is simple, easy, and long overdue. Let us do it.

THE REASON WHY THE UNITED STATES IS IN SOUTH VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 15 minutes.

Mr. PUCINSKI. Mr. Speaker, yesterday the President of the United States addressed the school administrators convention in Atlantic City and put into its proper perspective the whole question of why the United States is in Vietnam. He also stated unequivocally that the United States will not be driven out of Vietnam.

It is my hope that those who have been carrying on the vendetta against America's participation in the struggle for freedom in Vietnam will heed what the President said yesterday and will study carefully the testimony presented by General Taylor today before the other body.

The President quite properly pointed out that the issue in Vietnam is not a struggle over a piece of real estate known as South Vietnam but, rather, a struggle in support of a fundamental question as to whether we will give the Communists an opportunity to develop this entirely new type of warfare all over the world.

In order to understand our involvement in Vietnam we must understand several other things. This country has built up an awesome Defense Establishment, so awesome that it has made major war totally unthinkable for the world. There is no question that our fleet of Polaris submarines and our Strategic Air Command with its B–52's and our guided missiles, which are capable of sending nuclear warheads across continents and oceans, have certainly helped us finally to reach that point in the world's crossroad when the major powers realize that any major military confrontation will be too costly and too devastating for all sides involved. We have made world holocaust too costly for anyone to seriously consider a major nuclear third world war. There can be no question that our vast Military Establishment is today proving itself the very deterrent it was designed to be against a third world war. The fact that neither the Soviet Union nor China have joined Hanoi on a major scale proves conclusively that major war would appear to be out of the question at this time.

So the Communists have now gone the other way. They have developed a new technique, a technique which they call wars of liberation but which are nothing more than wars of subversion and terrorism against the established order in nation after nation; small, dirty wars, but no less devastating to the institutions of freedom where they are not stopped.

Two weeks ago I described here on this floor—and my remarks appear in the RECORD of January 20, on page 869—the blueprint that the Communists have spelled out for similar wars such as they are waging in Vietnam today to be waged on three major continents of the world, that is, in Asia, in Africa, and in South America. The Communists spelled out their blueprint for world conquest through terrorism and subversion during their Tricontinental Congress which was held in Havana, Cuba, from January 1 through January 15.

Now, how foolish could we be to walk away from South Vietnam today when the Communists have publicly announced that they intend to proliferate this new concept of terror and subversion in every single nation on three continents if they get away with such subversion in South Vietnam?

How can anyone fail to see what devastating plans the Communists have for a whole series of "Vietnams," when they have boldly, brazenly, and arrogantly told us—in public—of their new attacks on the institutions of freedom on three continents?

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I am glad to yield to the gentleman from Virginia.

Mr. HARDY. Mr. Speaker, I merely want to compliment the gentleman on the floor for the fine statement he is making.

Mr. PUCINSKI. I thank the gentleman.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I am glad to yield to the gentleman.

Mr. RANDALL. Mr. Speaker, I would like to join in the commendation of the gentleman from Illinois with just this one additional comment. We are getting quite a bit of mail now about pulling out of Vietnam and saying it is a grave mistake that we are there, because they want peace.

If I may contribute this much to the gentleman's remarks, I would say that I always write back and say, "Yes, we are yearning for peace, and I do not think that there is a Member of this body that does not want peace as much as you do, but we have to ask ourselves immediately two questions: The first is what kind of peace? And the second question is, for how long?"

Mr. PUCINSKI. Mr. Speaker, I thank the gentleman for his comments.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, I would like to congratulate the gentleman from Illinois for the fine statement he is making to the House here today. The President is eminently correct when he brings forcibly to the attention of the educators, the administrators of education in this country, the fact that there is more than a piece of real estate at stake in Vietnam; that there is a principle involved and that this issue is a phony one with the Communists. These so-called wars of liberation must not be allowed to succeed because they are subversive in nature and they do not serve the best interests of mankind either in this land of freedom or anywhere else on the face of the earth. Therefore, I congratulate the President and I commend him for his steadfast attitude. In turn, I congratulate the gentleman from Illinois for reminding the House again of a position from which we cannot depart.

Mr. PUCINSKI. Mr. Speaker, I thank my colleague. I think every single American and every single person in this world who wants peace and freedom ought to offer a prayer of thanksgiving that we have a President who has the courage and the wisdom to understand the global aspects of Vietnam.

Mr. Speaker, I belong to that school which sincerely believes that the Communists are in more trouble in Vietnam today than we are. We are winning in Vietnam. Our American troops are scoring impressive victories every day. Those who have been imploring the President to pull out, to give in, to walk away are obviously blind completely to the fact that while we have had difficulty in fighting this very unusual war, we are still winning. We have never had a war like this to fight before. Here you do not know who the enemy is. You cannot find them. They work in the fields during the day and then engage in their terrorism and subversion at night. You cannot identify whose forces they are. So, admittedly, there are serious problems for our side in meeting this enemy, but our troops and the Korean troops and the Australian and South Vietnamese and other troops of all our other allies—and we do have allies in Vietnam—have finally found the winning combination.

Mr. Speaker, I believe it is the Communists who are in trouble in Vietnam. I believe one has the right to believe, without arousing too much optimism, that China is losing its effort to set itself up as the great spokesman of all of the Communists of the world.

I believe that the psychological and the diplomatic defeats which China has suffered in Africa and in Asia—and is now suffering in South America—gives all of us hope that perhaps the war situation could change very suddenly.

So, Mr. Speaker, I would say that we can be proud of the American people. The American people want to see this war ended. But, I am certain, they want it ended with victory for freedom.

Earlier today we heard testimony before one of our committees by General Hershey, discussing the draft and what it is doing to the young people of this country. Of course, all of us are concerned about this. We all pray fervently that we can bring the entire Vietnam situation to the negotiating table, but pulling away some from North Vietnam, would only whet the appetite of the Communists and would only open the door for more Communist aggression, as the President so eloquently stated yesterday.

Retreat from South Vietnam would represent an open invitation to Communists over all this world to engage in similar subversion, and similar terrorism, in every country into which they can get.

So, Mr. Speaker, I believe that standing with the President is the only way to proceed. I believe Mr. Johnson has charted a sound course.

The President has held out the olive twig in one hand, but has not abandoned our responsibilities, from a military standpoint, on the other hand.

Mr. Speaker, it is my hope and honest belief that with the victories which our troops are scoring in Vietnam today we have at least more reason to hope today than ever before that the war in Vietnam can take a very sudden turn and victory could be ours.

I should like to include at this point an editorial from the Chicago Sun-Times which points out China's setbacks. I believe this is an extremely important editorial and fortifies my belief that with all of her setbacks, China might very well stop coercing Hanoi to continue its aggression in Vietnam. We pray to God this might be so and the conflict in Vietnam terminated soon.

The Chicago Sun-Times editorial follows:

PAPER DRAGON?

Red Chinese plots for subversion and revolt have recently been uncovered in the Middle East and in Africa, where a number of nations have broken off diplomatic relations with Peiping. Similar plots have been uncovered or smashed in other areas.

In Indonesia, a Red Chinese attempt to take over that government was met with force and destroyed. In Cuba, Premier Fidel Castro denounced Peiping as an aggressor after uncovering a Chinese Communist plot to subvert his army.

Russia is moving toward an open break with Chinese communism and even Albania, long Peiping stalwart in Eastern Europe, is now reported to be turning to Moscow.

It adds up to acute embarrassment for Peiping diplomats—and it raises a doubt that Red China's dragon is as fierce as it has been advertised.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman speaks of the help we are receiving in Vietnam, and the draft call upon Americans.

I want to say that outside of South Vietnam, the Australians—a token force of Australians—and a very few New Zealanders, as well as the South Koreans and the United States, who else is shedding any blood? Who else is getting killed in Vietnam?

Mr. PUCINSKI. May I say to my very distinguished colleague, the gentleman from Iowa [Mr. GROSS], who is a member on the Committee on Foreign Affairs—and I respect him for his good and sound judgment—I know that the gentleman knows perhaps better than most Members of Congress, by virtue of the fact that he is on the Committee on Foreign Affairs and is privy to many things that perhaps the rest of us do not have—that this is a troubled world. There are many trouble spots. Our allies are making their contributions in various parts of the world. Perhaps they cannot be with us in Vietnam to the extent we would like to have them participate. Take the British, for instance. They are holding Malaysia. Also there are other places around the world in similar situations.

Mr. GROSS. I did not know there was a war going on in Malaysia.

Mr. PUCINSKI. There is not, but there certainly would be war if we did not have the forces over there to maintain peace. Take, for instance, the Middle East, and take many other parts of the world. We have a peacekeeping force now in the Middle East. The gentleman from Iowa knows the situation is not that simple. One cannot say that we have a problem in Vietnam and, therefore, that we must concentrate every effort there on the part of our allies, because that in itself would be an invitation to other aggressors, other aggressions, and other upheavals which would only confront us to a greater degree at other places.

Mr. Speaker, the pattern is very clear. I certainly would like to see more of our allies assist us in Vietnam. I join the gentleman from Iowa in that expression, if that is what the gentleman is suggesting. I join him in that hope.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, the gentleman well knows that from 139 nations in the world we are receiving no assistance, no help at all with reference to the war which is going on in North Vietnam. This is what requires the drafting of the youth of this country. I do not like it a bit.

Mr. Speaker, if the gentleman from Illinois will come to my office I will show the gentleman a complete rundown compiled by the Department of State in the last few days, showing just how little the rest of the world is helping us in North Vietnam.

Mr. PUCINSKI. I agree with the gentleman from Iowa, and the gentleman knows that I have taken the floor many times urging that our allies give us greater support. But, having said this, I am sure the gentleman is not suggesting that because we are not receiving any help we should walk away from North Vietnam?

Mr. GROSS. Not at all.

Mr. PUCINSKI. Of course not.

Mr. GROSS. Of course not. But I certainly think that the rest of the world, the so-called free world friends of ours, should be making some contribution in the form of manpower to the effort in North Vietnam, and I hope that the gentleman believes that, far more than they are making today.

Mr. PUCINSKI. I should like to assure the gentleman I share his views. It is my hope that sooner or later many of our allies are going to understand the global aspect of Vietnam. But I hope the Vietnam conflict does not last that long. It is my firm and honest conviction that by standing firmly behind our President and behind the people of this country who today are overwhelmingly supporting the President in his determination to stand firm in Vietnam, we can look forward to victory with confidence. There was some doubt some time ago about our ability to win in Vietnam, but I think today there is no doubt. As the President yesterday quite properly pointed out, they are not going to drive us out of Vietnam. With the victories our soldiers have scored in the last few weeks, the Vietcong, Hanoi, and Peiping itself is going to understand finally that we are in Vietnam to stay until victory is ours. It is the Communists who now must make the decision, and I have every hope they will realize victory can no longer be theirs—and let us intelligently and peacefully negotiate a settlement.

DR. RALPH S. LLOYD RETIRES

The SPEAKER pro tempore (Mr. KREBS). Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 15 minutes.

Mr. FOGARTY. Mr. Speaker, I wish to call to the attention of the House the retirement on February 1 of Dr. Ralph S. Lloyd, Chief Dental Officer of the Public Health Service.

Dr. Lloyd has devoted the whole of his professional life to the Public Health Service. His distinguished career, spanning more than 30 years, has left an indelible stamp on the quality and vitality of the Dental Corps.

As Chief Dental Officer, a post that he held for the past 4 years, Dr. Lloyd strengthened recruitment procedures and formalized a dental career development program. In this position of leadership, he gave full expression to the concern for career development that had occupied him since an early date.

Always interested in enriching the professional experiences of those with whom he served, Dr. Lloyd made it possible for young officers to draw on his exceptional knowledge and clinical skills, particularly in the field of maxillofacial prosthetics in which he is an acknowledged authority. As Chief of the Dental Department of the U.S. Public Health Service Hospital in Baltimore during 1948–53, he established a prototype dental internship program. This program has been used since not only in the Service but also in many civilian hospitals.

Dr. Lloyd was the first dentist assigned to the Clinical Center of the National Institutes of Health. During the 9 years that he served as Chief of the Dental Department, he introduced many innovations, contributing to improved research techniques and patient care.

Never content with current procedures in dental materials and equipment, Dr. Lloyd developed ingenious solutions to technical problems in clinical dentistry. For example, he recognized at an early date the potential advantages of the use of the water spray technique, experimented with several spray devices first available, and made recommendations for improvement of the equipment. In addition, by the modification of thermocouples, he studied the heat production of cutting instruments in relation to pulpal trauma.

Recognizing the tremendous advances that could be made in dental materials and technology, Dr. Lloyd in 1963 established the intramural Dental Materials Committee of the Service. Under his leadership, the research effort of the Service in this field has been greatly expanded.

In 1964, Dr. Lloyd served as adviser to the Expert Committee on Health Statistics of the World Health Organization on the Review of the International Classification of Dental Diseases. That same year, he helped to successfully resolve the problem of Cuban refugee dentists in the Miami area by arranging for the assignment of a Public Health Service dental officer to supervise the refugee clinic, by encouraging the development of short-term refresher for the Cuban dentists, and by coordinating these activities with those of the American Dental Association.

There are few areas in dentistry in the Public Health Service that have not felt the impact of Dr. Lloyd's able leadership and contributions. The Public Health Service is richer not only for the 30-odd years that Dr. Lloyd has devoted to it but also for his many innovations that will remain a lasting heritage. We all wish him well in his retirement.

INTERGOVERNMENTAL COOPERATION ACT OF 1966

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FASCELL. Mr. Speaker, I am pleased to introduce, for appropriate reference, the Intergovernmental Cooperation Act of 1966, a bill to encourage greater cooperation and coordination among Federal, State, and local governments and to improve their effectiveness in dealing with the many problems which face our Nation. This bill would, I believe, go far toward establishing a full partnership among these levels of government, and strengthening our great federal system of government. The challenges which face this Nation will demand that duplication and friction among these levels be minimized and that cooperative efforts be exploited to the fullest. This bill is a part of the President's program to develop a "creative federalism." To quote his budget message delivered to the Congress on January 24:

> Favorable action should be taken on the proposed Intergovernmental Cooperation Act, already before the Congress. This act would improve the administration and facilitate congressional review of Federal grants-in-aid. It would also provide a means for coordinating intergovernmental policy in the administration of grants for urban development.

Mr. Speaker, we have responded to a host of pressing national problems, each of which needed the efforts of all levels of government for their solution. Neither the executive nor the legislative branch has had an opportunity until now to develop a comprehensive framework for Federal-State-local relationships, especially as they arise in grant-in-aid programs. The number of such programs has been rapidly increasing in the last decade and there are now more than 120 grants on the books. The 1st session of the 89th Congress alone enacted approximately 25 new Federal grant programs or major expansions of existing programs.

To demonstrate the many ways in which this bill would make a positive contribution to our federal system, let me briefly outline its provisions. It consists of six major substantive titles: Improved administration of grants-in-aid to the States; congressional review of Federal grants-in-aid to States and to local units of government; permitting Federal departments and agencies to provide specialized or technical services to State and local units of government; coordinated intergovernmental policy and administration of grants for urban development; acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with land utilization programs of affected local government; and establishing uniform Federal relocation practices.

The impact of these titles on present relationships can be summarized as follows:

First, assure that Governors could obtain full information on grant programs in their States for budgetary purposes. This title, prepared by Bureau of the Budget staff, also provides a uniform method of handling grant funds and scheduling Federal transfers to the States; and allows the waiving of the single State agency provision and use of other suitable administrative arrangements, subject to Federal approval.

Second, establish a congressional policy to study new grant programs after 5 years.

Third, authorize Federal departments and agencies to render technical assistance and training services to State and local governments on a reimbursable basis. This will enable State and local governments to avoid the expense of unnecessary duplication of specialized or technical services, and permit more economical use of Federal facilities.

Fourth, establish a coordinated intergovernmental urban assistance policy. It grants priority to general local governments in eligibility for Federal aids, and requires that applications for Federal loans or grants affecting urban development be reviewed by general local governments and metropolitan area planning agencies for consistency with existing plans and objectives.

Fifth, prescribe a uniform policy and procedure for urban land use transactions undertaken by the General Services Administration. Acquisition, use, disposal of land in urban areas by this agency shall be consistent, to the extent possible, with local zoning regulations and development objectives.

Finally, the bill would establish a uniform Federal policy of relocation payments and assistance for all persons, businesses, and farm operations displaced by direct Federal programs and programs conducted through Federal grants-in-aid. It requires that all such grant-in-aid programs assure that standard housing is provided or being provided to those displaced and authorizes Federal participation in the cost of relocation payments.

Intergovernmental relations, especially in Federal grant-in-aid programs, has been the subject of considerable attention in both Houses of the Congress. During the last session, the Senate passed the Intergovernmental Cooperation Act by a unanimous vote. It was cosponsored by 43 Senators from both sides of the aisle, from all parts of the country and including those representing predominantly rural as well as predominantly urban States.

Also during the last session, a number of my colleagues in the House sponsored companion measures including the gentleman from North Carolina [Mr. FOUNTAIN], the gentlewoman from New Jersey [Mrs. DWYER], the gentleman from Maryland [Mr. SICKLES], the gentleman from Georgia [Mr. MACKAY], and the gentleman from New York [Mr. DOW]. These measures are currently before the House Committee on Government Operations along with the Senate-passed bill, S. 561.

I think it is important to call attention to the fact that this proposal has not only the full support of President Johnson, but also that of a number of bodies and organizations whose primary concern is improving intergovernmental relations. For example, it is based on the findings and recommendations of the Advisory Commission on Intergovernmental Relations, established by Congress to provide for a continuing study of ways to improve our Federal partnership. Representatives of all levels of government, including three Members each from the House and the Senate, sit on that Commission. The proposed act also has the backing of the four organizations which represent State and local officials—the Council of State Governments, the U.S. Conference of Mayors, the National League of Cities, and the National Association of Counties. Last fall, these four groups wrote a joint letter to the President, the Vice President, and other officials of the executive branch formally indicating their support for the measure and urging the President to make it a part of his program. I would suggest that a bill which represents the consensus of all levels of government can

only lead to the improvement of the system within which they operate.

This review of the provisions of the Intergovernmental Cooperation Act of 1966 makes clear why it has been passed by the Senate, supported by the President, and why this body should act without delay. The enactment of this legislation will be an important step toward achieving that "more perfect union" which we all seek.

SAVINGS BONDS

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FASCELL. Mr. Speaker, the millions of Americans who help finance about $50 billion of the public debt by investment in U.S. savings bonds were gratified by the announcement by President Johnson yesterday of the raising of the interest rate from 3¾ to 4.15 percent.

Although the increased rate was announced yesterday, it is retroactive to December 1, 1965, and applies not only to new buyers of bonds but also to bonds in existence as of December 1, 1965. On Series E bonds the increased rate is made effective by reducing the maturity time to 7 years, from 7 years and 9 months, so that a buyer who now pays $18.75 for the lowest denomination of Series E bonds will be entitled to receive $25 at the end of 7 years.

The interest increase provides a real opportunity for Americans to help themselves by embarking on a guaranteed savings program while at the same time helping their country. The benefits of the safety and security of savings bonds are well known. The safety of the investment is guaranteed, and if savings bonds are lost or stolen they are freely replaced.

For those buyers who may wish to defer their income taxes on investments until some later time, such as their retirement, the purchase of bonds provides them with an effective investment yield which is often difficult to obtain any place else.

The President, in making the savings bonds more attractive from the investment standpoint, fulfilled an earlier commitment to do so. The President has noted that a successful savings bonds program is of particular urgency in the face of our defense of freedom in Vietnam and as a deterrent to inflation.

The operations of the U.S. savings bonds program have been of interest to me as chairman of the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations for some time, and particularly in the light of the increasing rates available on private investment opportunities.

I am delighted that the assurances which Secretary of the Treasury Fowler had given me that the matter of changing the return rate on savings bonds was under constant Treasury scrutiny, have been proven to be accurate. I commend the President and the Secretary of the Treasury for this action in the interest of the American people.

I urge all those who already are participating in the savings bonds program to give consideration to increasing their participations, and all those who do not buy U.S. savings bonds to embark on a worthwhile savings plan which will be helpful to them individually, and their country.

DISCRIMINATION IN ADMINISTRATION OF JUSTICE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I have today introduced a proposed Civil Rights Protection Act of 1966 dealing with discrimination in the administration of justice. This bill was drafted by the Civil Rights Leadership Conference, a coordinating committee of religious, civic, and labor organizations dedicated to elimination of discrimination under law. Through the years the leadership conference has proved itself to be a careful, responsible organization that has sponsored or endorsed legislation only after careful evaluation of its legal and social validity. This current proposal reveals that same degree of care and skill.

The need for Federal legislation to protect Negroes and civil rights workers from intimidation and violence was dramatically shown last year by a disgraceful series of acquittals in southern State courts. In November, I pointed to the need for Federal legislation which would:

First. Make a Federal crime of violence and threats of violence against civil rights workers and Negroes who seek to assert their federally guaranteed rights; and

Second. Establish a procedure for transfer of such cases from State courts to Federal courts where the Attorney General concludes that a fair trial cannot be held in the State court.

Title II of the leadership conference bill covers both these points in what appears to me to be exemplary fashion.

I trust that under the leadership of its great chairman, the dean of the House [Mr. CELLER], the Judiciary Committee will soon hold hearings on this and other bills that may be introduced to deal with racial discrimination in the administration of justice. In the course of such study, the present bill could be perfected to make it more effective and to resolve any legal problems it presents. I offer it for the consideration of our colleagues with the hope that it may stimulate creative thinking in an area of vital need.

PRESIDENT JOHNSON'S SPEECH AT ATLANTIC CITY

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MCGRATH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MCGRATH. Mr. Speaker, I am proud to note that last night, President Johnson came to Atlantic City, in New Jersey's Second District, which I have the honor to represent, to deliver an important address concerning the Vietnamese war and topics of domestic urgency before the convention of the American Association of School Administrators.

Accompanying President Johnson on his trip to Atlantic City were New Jersey Senators CASE and WILLIAMS, New Jersey Congressmen RODINO, CAHILL, FRELINGHUYSEN, GALLAGHER, HELSTOSKI, HOWARD, JOELSON, KREBS, MINISH, PATTEN, and myself, and the Reverend Billy Graham.

The fervor with which the President was greeted at the Atlantic City airport, despite darkness and heavy fog, was, I feel, an indication of the support which his southeast Asian policies find throughout the Nation and certainly in New Jersey's Second District.

Because of the importance of the message he delivered to the school administrators, Mr. Speaker, I believe my colleagues would find his remarks make worthwhile reading and, therefore, I am placing them in the CONGRESSIONAL RECORD. President Johnson's text follows:

I am honored to accept your award and happy to be here with the big brass of American education. I might have been with you tonight under other auspices—except that 30 years ago I left teaching for a different pursuit.

Tonight, our professions differ, but we have the same task: to build a society worthy of freemen. Two hundred years ago, our fathers laid the foundations. Two years ago, I challenged my fellow citizens to get on with the job. I said that we must build the Great Society in our cities, in our countryside—and in our classrooms.

Tonight our work is underway. Much of the needed legislation has been enacted: more than a score of landmark measures in the field of education alone.

It is a thrill to me to read the rollcall of these historic acts: the Economic Opportunity Act of 1964, the civil rights laws of 1964 and 1965, medicare, the Natural Beauty Act, the Higher Education Act of 1965, and—not last and not least—the Elementary and Secondary Education Act of 1965.

Laws are only designs for achievement. The barriers we must overcome do not yield merely because Congress takes a vote or the President signs a bill. Two barriers are the most unyielding, each reinforcing the other in blocking our progress.

The first is poverty. We who have worked in schools know what it means for someone who starts life as a victim of poverty. It is hard to teach a hungry child. Poverty breeds handicaps of mind and body which cripple him before he has a chance to get ahead. And we have learned all too well that

poverty passes on its curse generation to generation.

The second barrier is racial discrimination. Because of it, children grow up aliens in their native land. For a ghetto—whether white or black or brown—is less than half a world. No child can be fully educated unless his life is opened up to the wonderful variety this world affords.

Two weeks ago, I called for the International Education Act of 1966 to promote the worldwide commerce of knowledge, to declare that learning is not a commodity which can be confined at the water's edge. Yet within our own country there are still racial walls against hope and opportunity. Between the slums of the inner cities and their spreading suburbs, there are gulfs as deep and wide as any ocean.

If education is to be worthy of its good name, we must find ways to span these gulfs. I pledge to you that the Federal Government will not be a silent partner in this enterprise.

I am sending Congress five top priority requests:

To enlarge each one of the programs in the Elementary and Secondary Education Act—and to make them run through 1970;

To double funds for our imaginative and precedent-breaking Operation Head Start which will next year help more than 700,000 youngsters from poor homes get ready for the rigors of learning;

To fund the new National Teachers Corps so that our best college graduates can be recruited to work in our worst schools;

To pass the Child Nutrition Act of 1966 to help pay for school lunches for those who really need them, without subsidizing those who can afford to buy their own. We also want school breakfasts for children who would otherwise start the day with empty stomachs.

Finally—and this summarizes reams of recommendations in a single sentence—my budget this year proposes a $10 billion Federal investment in education and training. In 1960 the Government was spending only a third this much. The Office of Education alone will spend on programs six times as much as it did 6 years ago. And I promise you that this is only the beginning.

Almost 200 years ago, James Madison declared that Federal and State governments "are in fact but different agents and trustees of the people, constituted with different powers, and designed for different purposes." They are not "mutual rivals and enemies." They are partners. Madison's definition has not changed, though the partnership grows closer and more creative.

If education is to achieve its promise in America, it cannot be done in Washington alone. Each State and each community must fashion its own design and shape its own institutions. But we will need a common vision to build schools to match our common hopes for the future.

Every school will be different, but the differences will not range as they do today between satisfactory and shocking. We will have instead a diversity of excellence.

Tomorrow's school will be a school without walls—a school built of doors which open to the entire community.

Tomorrow's school will reach out to the places that enrich the human spirit: to the museums, the theaters, the art galleries, to the parks and rivers and mountains.

It will ally itself with the city—its busy streets and factories, its assembly lines and laboratories—so that the world of work does not seem an alien place for the student.

It will be the center of community life, for grownups as well as children: "a shopping center of human services." It might have a community health clinic, a public library, a theater and recreation facilities.

It will provide formal education for all citizens—and it will not close its doors at 3 o'clock. It will employ its buildings round the clock and its teachers round the year. We cannot afford to have an $85 billion plant in this country open less than 30 percent of the time.

In every past age, leisure has been a privilege enjoyed by the few at the expense of the many. But in the age waiting to be born, leisure will belong to the many at the expense of none. Our people must learn to use this gift of time, and that means one more challenge for tomorrow's schools.

I am not describing a distant Utopia, but the kind of education which must be the great and urgent work of our time. By the end of this decade, unless the work is well along, our opportunity will have slipped away.

Many people, as William James once said, shed tears for justice, generosity, and beauty—but never recognize those virtues when they meet them in the street. Some people are this way about rebuilding our society. They love the idea. But in the heat and grime, somehow they lose their zeal. They discover that progress is a battle, not a parade, and they fall away from the line of march.

You know that the job of building a better school and a better Nation is hard, often thankless work. Someone must take on the perilous task of leadership. Someone in shirtsleeves must turn ideas into actions, dollars into programs. Someone must fight the lonely battles in each community—make the accommodations, win the supporters, get the results.

Many of you have endured this hard journey from hope to reality—when the applause died, the crowd thinned out, and you were alone with the dull administrative details still to be done.

But this is how a Great Society must be built: brick by brick, and in the toil and noise of each day.

We have so little reason to be discouraged. Others face tasks so much more difficult than ours. Only last week I sat across the table from the very young leader of South Vietnam and heard him say of his country: "We were deluding ourselves with the idea that our weaknesses could not be remedied while we were fighting a war. * * * We will not completely drive out the aggressor until we make a start at eliminating these political and social defects."

The work of his Government will not be easy. But these are not timid men. They have learned that Government must meet the outreach of its people's hopes. There at Honolulu, I pledged support to their plans for education in their country. This year alone we will help them build 2,800 classrooms, nearly three times the average for the last 10 years. We will help them train 13,400 teachers, eight times the yearly average of the last decade. We will help them distribute nearly 6 million textbooks. And we will help them educate almost a fourth as many doctors as the total number they now have.

This little country maintains 700,000 men in its armed forces, over two and a half times as many for its size as we have. Yet, these leaders voiced no weariness before the task of getting on with reforms in education and health and agriculture. If they keep their commitment, they will be the real revolutionaries of Asia. For the real revolution is to build schools, and through them, to build a nation.

What they are committed to do, with our help, must be done under the most brutal conditions imaginable. Their civilian population lives in constant danger of terror and death at the hands of the Vietcong.

Last year over 12,000 civilians were kidnaped or killed by Communist terrorists. There were more than 36,000 incidents of terror—an increase of 10,000 over 1964. Two days ago, the Vietcong killed 39 civilians and wounded 7 others as they rode on buses.

Terrorism—deliberately planned and coldly carried out—continues to be the chief instrument of Vietcong aggression in South Vietnam. It is not just a byproduct of their military action; it is the way they hope to win the war.

Who, and what, are their targets? Schoolteachers and school administrators, health officials, village leaders, schools, hospitals, research stations, medical clinics—all of those people and places essential to the growth of a healthy, free society.

This is the terrible scarred face of the war too seldom seen and too little understood. Often it is not even reported by our journals most concerned about the war in Vietnam. These incidents usually happen in rural areas remote from the camera's eye. Observers are not invited when the Vietcong murder the mother of an officer in the Army of Vietnam as reprisal against her son—or torture and dismember the master of a local school. But people who hate war ought not ignore this strategy of terror.

What is its purpose? It is through fear and death to force the people of South Vietnam into submission. It is as simple, and as grim, as that. And it must not succeed.

If these tactics prevail in Vietnam, they will prevail elsewhere. If the takeover of Vietnam can be achieved by a highly organized Communist force employing violence against a civilian population, it can be achieved in another country, at another time, with an even greater cost to freedom.

If this war of liberation triumphs, who will be liberated next? There is a job of liberation in South Vietnam. It is liberation from terror, liberation from disease, liberation from hunger, and liberation from ignorance.

Unless this job is done, a military victory in South Vietnam would be no victory at all—only a brief delay until the aggressor returns to feed on the continuing misery of the people.

We have the military strength to convince the Communists they cannot achieve the conquest of South Vietnam by force.

But the building of a better society is the main test of our strength—our basic purpose. Until the people of the villages and farms of that unhappy country know that they personally count, that they are cared about, that their future is their own, only then will we know that real victory is possible.

I came away from Honolulu filled with new hope and energy. I came away convinced that we cannot raise a double standard to the world. We cannot hold freedom less dear in Asia than in Europe or be less willing to sacrifice for men whose skin is a different color.

If this young nation—ridden with danger can show such determination, we, with all our wealth and promise, must be no less determined.

Our time is filled with peril. So it has been every time freedom has been tested.

Our tasks are enormous. But so are our resources.

Our burdens are heavy and will grow heavier. But the Bible counsels that we "be no weary in well-doing." The house of freedom may never be completed, but it will never fall so long as you and I and those who share our commitment keep this vision of what we seek to build.

NATIONAL TRAFFIC SAFETY AGENCY TO FIGHT DEATH AND MAYHEM ON OUR HIGHWAYS

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MULTER. Mr. Speaker, I have today joined my colleague, the honorable gentleman from Georgia, Congressman JAMES A. MACKAY, in his effort to establish a National Traffic Safety Agency by introducing a bill identical to the one introduced by him for this purpose.

The number of deaths on our highways amounts to a national scandal; 47,000 of our fellow Americans met their deaths in 1965 on the highways, a new record for 1 year and 13,000 more than the battlefield total in 3 years of the Korean war. This carnage on our highways must be brought under control.

We recognize the need for such control in the case of air travel but continue to view highway travel myopically. We have a Federal Aviation Agency which employs 47,000 people to regulate air travel when only 12 percent of our people fly each year and only 40 percent have ever been in an airplane. It just does not make sense for us to ignore the problems of highway travel at the national level.

My bill would establish a National Traffic Safety Agency in the Department of Commerce. Its purpose would be to provide national leadership to reduce the death, injury, and loss of property on our highways by intensive research into the problem and vigorous application of remedies. It would provide the means for a concerted attack on the problem of death and mayhem on our highways.

The National Traffic Safety Agency would be headed by an Administrator appointed by the President with the advice and consent of the Senate and would contain a National Traffic Safety Center that would engage in research and issue its findings on the problem. Such findings will be used to establish national traffic safety standards.

A national traffic safety program would be established that would conduct research and engineering studies, establish national traffic safety standards, collect and publish statistics, maintain library references and public information services, publish consumer traffic safety bulletins, promote uniform State traffic and driver-licensing laws, employ experts and consultants, negotiate contracts and make grants to outside firms to assist in the center's research and to act in concert with the States, local governments and nonpublic organizations.

Under my bill, motor vehicle manufacturers would be permitted to certify for labeling or advertising purposes that their products meet U.S. safety standards, if they submit adequate proof of compliance to the Secretary of Commerce. Grants could be made to the States under the bill up to 30 percent of the cost of traffic safety programs established by them, provided the programs meet certain standards. State programs eligible for aid would include improvement of driver education and licensing, motor vehicle inspection, accident reporting, highway design and construction, and highway signs, signals and controls.

The need for national leadership in this area is apparent. Individual States cannot legislate safety features into automobiles without creating chaos in the industry. Nor can States be sure that their highways are part of a uniform system of highways unless we establish national standards. It is not the purpose of my bill to supplant existing public and private agencies in this field, rather it seeks to provide aggressive leadership at the national level so that uniformity of action can be achieved by all the agencies of State and local governments, members of industry, and other public or private organizations that are properly concerned with the problem.

We must either travel together in safety on the highway through national leadership and common effort or we must travel separately on the highway, each in his own way to face, as best he can, the death and mayhem that lurks on the highway.

FRANKLIN D. ROOSEVELT, JR., WORKS FOR EQUAL OPPORTUNITY FOR ALL AMERICANS

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MULTER. Mr. Speaker, America was born in the fierce struggle of men determined to be free—free of tyranny, free to practice their religion according to their conscience, free to live decent and industrious lives, free to retain and enjoy the fruits of their labor, free to assemble, and to speak out on the issues of the day, and free to share in the opportunities of our land and its promise of the good life.

In 1964 America took a giant step forward toward fulfilling the dream of its heritage. In that year the Civil Rights Act of 1964 was born. The dream that all Americans could share in the opportunities of our land and its promise of the good life was written into title VII of the act.

It sets up the Equal Employment Opportunity Commission which is charged with responsibility to insure that all Americans will be considered for hiring, firing, and promotion on the basis of their ability without regard to race, color, religion, sex, or national origin.

When the Equal Employment Opportunity Commission began operations last July it was predicted that 1,500 complaints of employment discrimination might be received by it during its first year. The fact is that after only 6 months of operation, 3,263 complaints were received by the Commission—many more than all State antidiscrimination complaints combined. That is some measure of the interest and confidence our people have in the Commission.

I am happy to learn that the Commission under its able Chairman, the Honorable Franklin D. Roosevelt, Jr., despite severe limitation of funds accomplished much through conciliation and voluntary compliance and often obtained benefits for the cause of equal opportunity over and above the resolution of individual complaints.

The story of the Commission's success and of its problems deserves wide circulation and should be known in every part of our country. It is a heartening story that should make us all happy to be Americans. It is the story of an agency that embarked on the unchartered and stormy sea of controversy involving equal opportunity. It soon demonstrated its seaworthiness by steering a true course through the dangerous waters.

The Commission has received complaints charging employers, labor unions and employment agencies with discrimination in employment practices. In spite of shortage of staff and funds the Commission has completed the long process of investigation in 704 cases—and the even longer process of conciliation has been brought to a successful conclusion in 20 cases.

Mr. Roosevelt reports that the Commission's efforts at conciliation has tapped a reservoir of good will, cooperation, and willingness by all interested parties to comply with the law. Significantly, of the 700 complaints investigated to date, all but 2 of the companies involved were willing to cooperate. In addition other employers who were not involved in complaints have voluntarily sat down with the Commission staff to work out problems encountered by them under the law.

Mr. Roosevelt tells us that in all instances the Commission's investigators have been received courteously and in a spirit of cooperation—whether the investigator was colored or white.

In many instances employers have initiated positive action to achieve equal opportunity, even though a specific complaint made against them proved to be without merit. The Commission files contain many instances where its conciliation effort resulted in voluntary action on the part of the employer above and beyond the complaints under consideration. Those were purely voluntary acts on the part of the employer and demonstrate the spirit of the American employer to comply with the law. I am sure that this spirit of cooperation on the part of industry is in large part engendered in response to the reasonable and courteous manner in which Mr. Roosevelt is carrying out his task.

I commend the fine work of the Commission and its Chairman to the attention of our colleagues and to all people of good will. It is a living example of democracy in action and serves as a shining beacon of hope to all of us that reasonable men, working honestly, diligently, and in good faith can solve the corrupting problems of bias and prejudice in a democracy.

THE 48TH ANNIVERSARY OF THE DECLARATION OF LITHUANIA'S INDEPENDENCE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman

from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, on Sunday last, at the Washington Hotel here in the District of Columbia, I had the privilege of attending a luncheon and ceremony of the American Lithuanian Society commemorating the 48th anniversary of the Declaration of Lithuania's Independence.

The following is the program on that occasion, as well as my remarks:

PROGRAM ON COMMEMORATION OF THE 48TH ANNIVERSARY OF THE DECLARATION OF LITHUANIA'S INDEPENDENCE, FEBRUARY 18, 1966

American National Anthem.
Invocation: Rt. Rev. Msgr. Peter Silvinskas.
Introduction of guests.

LUNCHEON

Introductory remarks by the vice president of the American Lithuanian Society, Mr. Joseph Zamites.

Address by Hon. Joseph Kajeckas, Chargé d'Affaires, Lithuanian Legation.

Address by Hon. JOHN J. ROONEY, Democrat, 14th District, Brooklyn, N.Y., House of Representatives.

Lithuanian songs: Miss Elena Jurgela.

Poems: Miss Vakare Aistis.

Greetings by the presidents of the Latvian and Estonian Societies.

Reading of resolution.

Benediction: Rev. Frederick Brown Harris, Chaplain, U.S. Senate.

Lithuanian National Anthem.

REMARKS OF CONGRESSMAN JOHN J. ROONEY

Chairman Zamites, Right Reverend Monsignor Silvinskas, Reverend Dr. Harris, Chargé d'Affaires Kajeckas, Mrs. Darlys, president of your organization, Commissioner Farrell, Deputy Assistant Secretary of State Cieplinski, the officers and members of the American Lithuanian Society, ladies, and gentlemen, one of the great traditions of American colleges and universities is the annual homecoming which allows old friends to get together and relive the events of previous years. I feel today as if I am attending a homecoming because I am meeting many warm friends again—friends whose patriotism I admire and friends whose devotion to the cause of their still enslaved kinsmen and friends in Lithuania I applaud.

I am deeply gratified to be invited to share with you the celebration of the 48th anniversary of Lithuania's independence. To you of Lithuanian birth or parentage this day is almost sacred. It is not an event that calls for parades and noise and funmaking such as an independence day normally entails; rather it is a day filled with sadness and regrets. For on this day our hearts turn to those who now live in the shadows of a foreign oppression.

How wonderful it would be if we here today could be celebrating this occasion with joy and mirth. How wonderful it would be to join the reverend fathers here today in prayers and songs of thanksgiving that at long last the shackles of Soivet domination have been removed and the liberty-loving peoples of Lithuania, of Estonia, and of Latvia once more free and independent.

My friends, this is a goal for the attainment of which many of my colleagues in the Congress are deeply devoted. It is a goal which I shall personally pursue with vigor, for I am convinced that the freedom of all of us here and in fact the independence of the free world cannot be assured as long as these valiant people are denied the right of self-determination.

We as Americans must never become complacent and ignore the brutal act of Communist Russia when it illegally incorporated Lithuania into the Soviet Union as its 14th republic. We must remember always the joy we shared with the Lithuanian people when they gained their independence in February 1918. We must remember how we shared the pride of the young nation's achievements and gloried in its progress and growth. We must never forget that this golden era lasted but a brief score of years; then these fine people, our relatives and our friends, became the unwilling subjects of a larger and more powerful atheistic nation.

But it is not enough just to remember no matter how vivid and disconcerting those memories are. It is the responsibility of all who enjoy freedom and the bountiful blessings of liberty to do their utmost to restore independence to those from whom it has been stolen. This responsibility demands that we strive without ceasing to summon adequate international unity to force the Soviet Union to revise its own ruthless colonial policy instead of condemning the more benign policies of other governments. It is our responsibility, too, to see that the Communists are prevented from following the same course of illegal annexation with respect to other countries whether it be in Vietnam, in Africa, or in any part of the world.

Today as we look back with pride to the creation of Lithuanian independence and to the truly remarkable progress of that young nation, I am reminded that this country of ours was indeed blessed in being permitted to grow and expand. We can be thankful that our strength was such even by the year 1812 that we could successfully defend our shores. We can be grateful that our strong national interest was sufficient to weather the storm-tossed years of war between our own States. In succeeding years as we sent our men into action at San Juan, at Belleau Wood, at "the Bulge," at Corregidor, in Korea and now in Vietnam we can be thankful that our strength has matched the awful demands which have been made upon us. If only little Lithuania could have had a few more years of freedom, I am sure that the courage, the wisdom, and the outstanding ability of its people would have developed a strength kindred to our own. Given even a measure of such strength the Soviets might find their inhuman acts of 1940 much more difficult to duplicate today.

My friends, I realize that with each passing year in which your loved ones are still held in virtual bondage, it becomes increasingly difficult to generate enthusiasm and maintain interest in the great cause to which you are so deeply dedicated. I, too, become discouraged at times in that we are not making discernible progress in finding answers to this sad and frustrating problem. But sad as is the situation and discouraging as have been the results of our efforts thus far, we cannot lessen our devotion to this all-important cause.

All of us here must dedicate ourselves anew to the task of trying to find a solution to the grim problems our loved ones in Lithuania still face.

Each of us must seek to enlist more and more Americans in this cause. Each of us must do his utmost privately and through Government channels to have this issue raised and considered by the United Nations. Each of us must help to increase the gifts of food, clothing, and medicines to those for whom such gifts mean life itself.

Finally, my friends, we must constantly consider all these efforts as a part of the broader responsibilities which we must assume to obtain a reasonable assurance of world peace, a task to which His Holiness Pope Paul is devoting so much of his time and energy. This task to which our own great President, Lyndon B. Johnson, has demonstrated such passion and leadership in recent months includes such problems as the freedom of captive nations. So, as Americans of whatever birth or lineage, we must unite with our leaders to obtain and preserve a peace which recognizes the individual rights of men and of nations for self-determination and the four freedoms.

This country has long demonstrated its dedication to these principles. Our men have fought and bled that these freedoms could be preserved and hopefully extended to all mankind. Today, as we celebrate the Independent Day of Lithuania, may we do so by rededicating ourselves to the task of not only bringing those freedoms to the stouthearted people in your ancestral homeland, but preserving those freedoms for mankind universally.

Mr. Speaker, following is the translation of the Lithuanian address delivered on this occasion by Mr. J. Kajeckas, Chargé d'Affaires ad interim of Lithuania:

ADDRESS BY MR. KAJECKAS

Although Lithuania is a very ancient nation, her true place in contemporary history begins on February 16, 1918, for it was on that date that our homeland, after 123 years of Russian czarist oppression, declared her independence and joined the family of free nations. Because, however, of the genocidal agression which the Soviet Union perpetrated against Lithuania and the Baltic States in 1940, and which continues to this day, any commemoration of February 16 behind the Iron Curtain is considered by the Soviets to be a criminal act.

But whether the Lithuanian sky is sunny or dark, February 16 remains our great day, whether in the wilds of Siberia, or in our beloved homeland, but especially in the free world. If all the Lithuanian heroes and martyrs and partisans could speak forth from their cold tombs, they would declare also that "today is our day. Our sacrifices have been made in order that Lithuania might remain forever alive, free, and independent."

This day is formally observed only in the free world. In occupied Lithuania, this day is one of solemn and secret reflection and remembrance of lost blessings. February 16 is, in the homeland, a day of secret tears.

After 123 years of night without a dawn, Lithuania rose again on February 16, because the occupant had not been able to shackel the free soul of our country. According to Schiller, "man is created free, and he remains free even in chains." On the first possible opportunity, those chains of slavery were shattered.

Today we remember with pride the participants in the battle for independence, and we remember their sacrifices. It is from their sacrifices that we receive the strength and inspiration to continue our struggle for our national inheritance, and we vow to continue that struggle until the second resurrection of Lithuania.

Since the criminal aggression of the Soviet Union in the Baltic States, the whole world has had the opportunity to realize the hypocritical nature of Kremlin policies. The whole world knows that the Soviets are the alltime champions of deception and greed. Today, the Red claws extend even into Vietnam. We sympathize with the people of Vietnam in their struggle for true freedom and independence. A month ago, in the Disarmament Conference at Geneva, the Soviet delegate attacked the United States for what he called a shameful and criminal attack upon the small and heroic nation of Vietnam. The Baltic nations are small countries also, but this did not keep the Soviets from shamefully and criminally crushing the freedom of these heroic na-

tions. The Baltic countries are not threatened by nazism or fascism. The only thing that threatens them is bolshevism and Soviet imperialistic colonialism.

The Soviets are very fond of paying lip-service to freedom, independence, and coexistence for the purpose of waging so-called wars of liberation against other states, but the right of nations to self-determination is not practiced by the Kremlin in its own sphere of influence. For the Soviet Union, the principle of the dictatorship of the proletariat is higher than the right of any nation to self-determination. All the oppressive tactics of Russia against Lithuania in czarist times pale almost into insignificance before the nefarious and inhuman methods used by the Soviets. They are trying to destroy the Lithuanian nation as an ethnic group by the cruelest means available. This purpose was clearly expressed in the Communist Party program of 1962, in which one clear objective is the Russification of non-Russian countries within the Soviet sphere. This is, within that program, considered one of the indispensable conditions for the fulfilling of Communist objectives. In this same program, Communists are encouraged not to tolerate any kind of nationalistic motivations or expressions, and to struggle firmly against such expression and any kind of national self-consciousness. They are encouraged to fight against the idealization of a country's past, and against national customs which disturb the process of Sovietization. This objective of Sovietization is one which is to be fulfilled by the end of the next few decades, with the entire governmental machinery enlisted in the propagation of this cause. The first attacks, according to the program, must be made against the sense of national identity and culture of nations such as Lithuania.

Thus is a spiritual destruction being carried on against the whole Lithuanian nation. Scholarship, art, and literature are strictly governed by Moscow principles and according to strictly Communist practice. In this kind of pattern, there is no room left for the Lithuanian nation. She is sacrificed completely to the Muscovite, to the outsider, to the Russian. And Lithuanians are forced to participate in the destruction of their country. They are forced to deny history, to praise and exalt the Russian nation, the Russian language, to praise Russian leaders, and finally, to thank Russia for the slavery it has wrought upon Lithuania.

It is with especial sharpness that Soviet activity in Lithuania has been directed against all religions. In the Soviet sphere of belief, freedom is expressed in the propagation of atheism. Anatole Lunarcharsky, the former Russian commissar of education, recently said: "We hate Christianity and Christians; even the best of them must be regarded as our worst enemies. They preach love of one's neighbor and mercy, which is contrary to our principles. Christian love is an obstacle to the development of the revolution. Down with love of one's neighbor's. What we need is hatred. We must know how to hate; only thus shall we conquer the universe." I need not comment on that statement; it speaks for itself.

The Lithuanian language is more and more excluded from public affairs, in spite of the fact that it is still regarded formally as the official language of the territory. Since increasingly great numbers of Russians are introduced into the country on various pretexts, the citizenry are also forced to adapt increasingly to the Russian language. An American Lithuanian visiting Vilnius is in many places unable to communicate in the language of his fathers. The absolute control of Moscow in non-Russian republics through the party and centralized government institutions assures Russian domination and the rapid growth of the Russian population.

The Lithuanian youth are encouraged in various ways to go to Russia and the wilds of Siberia for scholastic and professional advantage. This creates the further opportunity for outsiders to be introduced into Lithuania.

In the face of this kind of sad situation, we must cry our sorrow aloud, in order to turn world public opinion against the process of Russification in our country. At the same time we must make certain that the true colonialistic and imperialistic purpose of our Soviet oppressors is made perfectly clear to the world. That is (1) that Lithuania was forcibly incorporated into the Soviet Union; (2) that the Soviet occupants of Lithuania have forcibly inflicted their will upon the inhabitants of that territory; (3) that the Russians are systematically carrying out the colonization of the Lithuanian territory; and (4) that the Russians are exploiting the land, its inhabitants, and its resources. The Lithuanian resources and land are run according to Moscow's agricultural and technological principles, and the people of the country are turned into slaves.

That is a summary of the sadness that we have borne for over 20 years. But there is a brighter side that we must remember on this occasion.

You had the opportunity today to hear the statement by Secretary of State Dean Rusk on the occasion of February 16. Over a number of years now, his similar statements on these occasions have helped to revive anew the hope and determination of Lithuanians everywhere. We are greatly appreciative of the Secretary's encouragement and his words of hope, as we are grateful to the Government and people of the United States for refusing to recognize the illegal absorption of our homeland by the Red hydra. One particular example of American support of the Lithuanian cause is to be seen each year in the numerous proclamations issued on February 16 by the Governors of States and the mayors of principal cities. Also, this year, as in previous years, we will be gladdened by the speeches and statements of support by U.S. Senators and Congressmen. In their remarks on the floor of the Congress, the crime committed against Lithuania will again become clear in the public mind, together with the justice of Lithuanian aspirations to her rightful freedom and independence. We are very privileged to have in our midst today Congressman JOHN J. ROONEY, just as, last November, we were greatly pleased to hear his talk delivered at the great Baltic Freedom Rally in New York's Madison Square Garden.

Last year, when Lithuanians in the homeland were forced by their Soviet captors to commemorate the 25th anniversary of Soviet occupation of Lithuania, we Lithuanians living in freedom made certain that the world knew how we felt about those same Soviet captors. In numerous demonstrations throughout the free world, especially in such vast demonstrations as took place in New York, the true face of the Soviet barbarians was uncovered. It is a sign of hope that on such a sad anniversary as has taken place during the past year, the free world saw a renewal of Lithuanian determination to be free again. As long as our commitment to freedom remains strong, the Soviet criminals who have enslaved Lithuania are bound to learn that freedom always buries its own undertakers.

Mr. Speaker, I should also like to include a letter written under date February 11, 1966, by the Honorable Dean Rusk, Secretary of State, to Mr. Kajeckas:

THE SECRETARY OF STATE,
Washington, D.C., February 11, 1966.

Mr. JOSEPH KAJECKAS,
Chargé d'Affaires ad interim of Lithuania.

DEAR MR. CHARGÉ D'AFFAIRES: On the occasion of the 48th anniversary of Lithuania's independence, it is my pleasure to extend to you the good wishes of the Government and people of the United States.

Our country has consistently espoused the principle that all peoples have the right to determine the form of their national existence. In Lithuania's case, we have applied this principle by refusing to recognize the forcible incorporation of that country into the Soviet Union. We fully support your continuing efforts to marshal world public opinion and to bring it to bear on the issue of self-determination for the people of Lithuania.

In view of the courage and fortitude shown by the Lithuanian people during these years of foreign domination, I am confident that their just aspirations for freedom and national independence will ultimately be realized.

Sincerely yours,

DEAN RUSK.

Finally, Mr. Speaker, the following resolution was unanimously adopted on this occasion:

RESOLUTION BY LITHUANIAN AMERICAN SOCIETY

Citizens of the Metropolitan Washington area gathered February 13, 1966, under the auspices of the Lithuanian American Society at the Washington Hotel, extend their friendly greetings to the people of Lithuania on the occasion of the 48th anniversary of the restitution of independence of their country. They urge the President of the United States to concern himself, in dealing with the Soviet Government, with the urgent problem of removing the major obstacle to peace in Europe by counseling and promoting the restoration of sovereignty of the people of Lithuania and other similarly situated peoples. They also urge that conditions be created enabling those peoples to choose their own governments without the presence of the occupying troops which, in the instance of the Baltic States, had entered those countries in consequence of the Hitler-Stalin connivance at aggression, in violation of the treaties of peace and nonaggression freely negotiated by the Government of the Soviet Union and Governments of Lithuania, Latvia, and Estonia.

The assembled citizens also vote their gratification at the steadfast adherence of every administration since 1940 to the policy of nonrecognition of the fruits of Nazi-Soviet aggression, and their thanks to Members of Congress of the United States for their faithful dedication to the principles of freedom and self-determination so often urged by them to be offered to the people of the Republics of Lithuania, Latvia, and Estonia.

Officers of this gathering are directed to transmit copies of these resolutions to the President of the United States, the Secretary of State, Members of Congress, and to the press.

LITHUANIAN INDEPENDENCE DAY

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, yesterday marked our annual observance of Lithuanian Independence Day. The tragic irony of this event has been with us for more than a quarter of a century, for since 1939 there has been no independence in Lithuania. Fortunately, owing to the courage and determination

of this great nation's leaders in exile the celebration of the historic establishment of the Republic of Lithuania does not go unnoticed in the free world in spite of the fact that Lithuania's Communist captors have suppressed any observance of this great day in that country. The dedication of this spirited people to regain their hard won and deeply cherished freedom has won them countless friends and admirers here in the United States and the rest of the free world, and we may take great pride in joining with them in their commemoration of this event.

With each passing year, as we encourage the continuing efforts of our Lithuanian friends, we can derive great hope from the realization that the tyrannical Soviet regime which dominates Lithuania will ever be reminded of the Lithuanian's implacable resolution never to succumb to Communist enslavement. Although their country has been stripped of its national identity, their properties have been confiscated, and their fundamental freedoms abolished, the will of this people has not been broken. In the past we have shown the people of Lithuania and their Soviet tormentors that we are vitally concerned with the restoration of Lithuania's autonomy, and today on the 48th anniversary of this country's independence, we may state with pride and confidence that we intend to remain a part of this critical movement until independence day can mean to Lithuanians what the Fourth of July means to all Americans.

FAA ADMITS MAJOR PROBLEMS WITH THE BOEING 727

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, Tuesday, February 15, I made a speech in which I stated that the Boeing 727 jet should be grounded pending a full investigation into its airworthiness and crashworthiness. The events and revelations that have transpired since I made that speech have deepened my conviction that the Boeing 727 should be ordered grounded now, while the CAB and other investigations are in progress.

Within a few hours of the speech I made Tuesday the FAA vigorously denied that it knew of any reason to ground the airplane "at this time." But later, on the same day, the FAA summoned every airline that uses the 727, domestic and foreign, as well as CAB Bureau of Safety representatives, to a meeting in Washington, D.C., to "discuss service and operating experience and exchange views" on the airliner. Most significant in FAA's announcement was the revelation that it is concerned with "the high sink rate" of the 727.

The sink rate of an airplane is the rate at which it descends as it approaches to land. The characteristic high sink rate of the 727 apparently causes it to sink rapidly, at a more than average rate, in the final stages of its approach. I would like to point out two things with respect to the high sink rate of the 727:

First. In my Tuesday's speech I stated that each of the four crashes of the 727 in the past 6 months, in which 264 persons were killed, occurred under similar circumstances—as the planes prepared to land. The FAA admission of the high sink rate of this plane completely substantiates my statement.

Second. The admission of the high sink rate gives even greater urgency to the need for grounding the 727.

We know that several other deficiencies have already been identified in this plane. For example, defects have been noted in the fuel lines, generator electrical leads, and landing gear. In fact, the Boeing Co. has produced three modification kits to correct these deficiencies. But, the modifications are not scheduled to be made until May and June.

I find this fact alone to be amazing and deplorable. When a commercial passenger airliner is defective by the admission of the manufacturer and the Government, how is it that several months are allowed to go by before the defects are corrected? In other words, this plane is admittedly defective, yet it is allowed to continue flying and carrying passengers for 3 or 4 months before corrective measures are scheduled to be taken.

We also know that the FAA has not yet agreed to the strong recommendation of the CAB that the materials used in the cabins of the 727's have greater fire resistance than those presently installed.

Thus, the Boeing 727 now is flying with a number of deficiencies which the FAA has instructed the manufacturer to correct—in 3 or 4 months—and with one deficiency which it has not yet agreed to correct.

On top of all this, we now learn by virtue of a very hastily called meeting of 14 domestic and foreign airlines that the 727 has a high sink rate. The attitude of the FAA, the Federal Agency responsible for air safety, is reflected in the statement attributed by the New York Times yesterday to a Washington spokesman:

> Our exhaustive analysis has uncovered nothing that would indicate this aircraft is not airworthy.

Mr. Speaker, the CAB, which is responsible for investigating air collisions, has already uncovered what the FAA has failed to uncover, namely, numerous deficiencies in the construction of the Boeing 727. In addition, the FAA admits that this plane has a higher than average sink rate.

Characteristically, the FAA has implied in its releases to the press since my Tuesday speech that "pilot technique" may be the common factor in all four crashes. It is very easy to blame the pilots for airplane mishaps because the pilot is usually killed and he cannot speak for himself. But the FAA is now indicating that new training procedures may need to be adopted in order to assure proper adjustment to the high sink rate. The question to be asked is, if this plane has an abnormally high sink rate, why did the FAA certify it as airworthy before pilots and other personnel were completely trained to adjust to this characteristic?

Mr. Speaker, investigations into the four crashes of the 727's have only begun. Before they are completed additional defects in this plane may be found. The flying public should be protected from aircraft about which so many doubts and questions have been raised. If this plane can be modified and made airworthy it should be done so at the earliest possible time. But the public should not be exposed to whatever dangers exist in flying the Boeing 727 until the investigations have been completed and all modifications made.

PRESIDENT JOHNSON AGAIN URGED TO VETO THE BANK MERGER ACT AMENDMENTS

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, on February 10 I sent a letter to President Lyndon B. Johnson urging him to veto the Bank Merger Act Amendments, S. 1698. Today, I have written a second letter to the President again urging him to veto this abominable bill.

With unanimous consent, I am inserting in the RECORD copies of each of my letters urging the President to veto S. 1698.

I also ask unanimous consent at this time to insert in the RECORD a copy of an article entitled "Lobbying by Bankers," from the Congressional Quarterly, February 11, 1966.

FEBRUARY 10, 1966.

Hon. LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: This letter is to request that you veto the Bank Merger Act amendments, S. 1698, cleared by Congress for Presidential action yesterday.

My opposition to this bill today rests on the same grounds on which I based my dissenting views to the House report accompanying the bill and the statements I made while the bill was being debated on the floor. Briefly, these grounds are as follows:

First. The language of the bill with respect to the antitrust laws and the guidelines for evaluating proposed mergers is vague and uncertain and will result in confusion within the banking industry. Several of the proponents of the bill themselves agreed that these provisions were vague and that the courts will probably have to make a determination as to what they mean. Such uncertainty is bad for the public and bad for the banks.

Second. Under this bill the banking industry will be less subject to the antitrust laws than any other industry. I oppose the weakening of the antitrust laws in principle.

Third. The "forgiveness" provisions of the bill constitute favored treatment for a few large banks whose mergers have already been held to be in violation of the antitrust laws

by the Supreme Court. The Federal Government should not play favorites. This aspect of the bill smacks of special legislation and should not be allowed to become law under the guise of a general bill.

Fourth. The bill permits any Federal banking agency approving a merger to intervene, as a matter of right, in a suit instituted by the Attorney General. This will result in the unique situation of Federal Government attorneys appearing on both sides of a suit involving a bank merger. We thus regress into the 19th century when the legal business of the Government instead of being handled by the Department of Justice was scattered among different public officers, departments and branches. Under this bill the Attorney General is demoted to the rank of lieutenant with no more legal authority to represent the interests of the Federal Government than any of the other attorneys employed by several Federal agencies.

For all of these reasons, I again urge you to veto the Bank Merger Act amendments.

With every good wish, I remain,

Sincerely yours,

HENRY B. GONZALEZ,
Member of Congress.

FEBRUARY 17, 1966.

Hon. LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On February 10 I wrote to urge you to veto the Bank Merger Act amendments, S. 1968. This letter is to again urge you to veto this bill.

I remain opposed to S. 1698 for the same basic reasons stated in my dissenting views to the House report and in the statements I made during the floor debate. However, I would like at this time to emphasize one aspect of the bill which is particularly objectionable and which, in my opinion, will ultimately detract from the authority of the President of the United States. I refer to section 7(D) of the bill.

As you know 7(D) provides that any Federal banking agency approving a merger may intervene, as a matter of right, as a party and as an attorney of record, in a suit brought under the antitrust laws by the Attorney General. In my earlier letter to you I stated my objection to this section. I am sure you are aware that I do not stand alone with regard to this matter. For example, during the floor debate in the House, February 8, Chairman EMANUEL CELLER, who otherwise supported the bill, said of section 7(D):

"I do not know why that was put in except I think it was one of the pet projects of my good friend Jim Saxon. * * * But why do you permit the dragging in of the U.S. agencies is beyond my comprehension because it is going to prove as irritating as a hangnail.

"This is very much like putting a second story on a ranch house. You simply do not do that. For that reason I again say I do not understand why it was put in. I am not going to offer an amendment, but I do hope, Mr. Chairman, you will take that out in conference, because it has no place in this legislation. I believe there is very little justification for anything like this. It is going to create confusion."

The following day, during the floor debate of the bill on the Senate floor, Senator HART said with respect to this same provision, section 7(D):

"Whatever the attitude is with respect to what we shall do with the bill, I think it will be agreed by all of us as a unique way to 'run a railroad' intelligently. Visualize, if you will, the scramble on court of representatives of the Department of Justice, the State banking commissioners, and the Comptroller of the Currency. The court would have to have a program with names and numbers to figure out who is representing the public with respect to the principal issues in litigation.

* * * * *

"No indepenent expert witness has ever had an opportunity to comment on the bill which passed the House on February 2."

Mr. President, these statements by two of the foremost authorities in Congress on the subject of antitrust legislation express well-founded and well-informed doubts and fears as to section 7(D).

I would like to add to the arguments of Chairman CELLER and Senator HART the following points:

First. The income of the office of the Comptroller of the Currency is derived from assessments levied on the national banks and from examination fees paid by the national banks. Any appearance, therefore, of the Comptroller of the Currency as a party or attorney of record in a bank merger suit brought under the antitrust laws would be actually financed by the national banks and in part by the defendant banks in the suit. Thus, the Comptroller of the Currency on one hand would appear as a representative of the U.S. Government, while on the other hand his appearance would in fact be financed by the very banks whom the United States, through the Attorney General, has brought an action against.

Second. In all antitrust suits the Attorney General appears and brings the suit on behalf of the United States and as counsel for the President. If one of the Federal agencies intervenes under 7(D), who represents the United States and who represents the President?

Third. Section 7(D) will have the effect of fracturing the authority of the Attorney General and scattering among several other agencies. As I stated in my first letter, it reduces the Attorney General to the rank of lieutenant. This result tends toward proliferation in the Federal Government, contrary to the stated goals of this administration, and is a regression to the 19th century.

Once again, I urge you to veto S. 1698.

With every good wish, I remain,

Sincerely yours,

HENRY B. GONZALEZ,
Member of Congress.

[From the Congressional Quarterly, Feb. 11, 1966]

LOBBYING BY BANKERS

The American Bankers Association, representing 98.5 percent of the 14,000 main offices of U.S. banks and most of their branches, conducted a mass campaign for S. 1698. Three of the merged banks affected by the bill directly or indirectly engaged lobbyists in 1965 to work for passage of the bill. One of the banks' registered lobbyists was ex-Representative Albert Rains, Democrat, of Alabama, 1945–65, who had been the second-ranking Democrat on the House Banking and Currency Committee until 1965.

American Bankers Association President Reno Odlin, in answer to a query by Representative PATMAN, wrote August 31, 1965, that the ABA had made a mass effort for passage of S. 1698 by the House. Odlin said it was the first piece of legislation since the 1962 Revenue Act on which ABA used a mass communication technique asking all its member banks "to get in touch with their Member of the House of Representatives on S. 1698." Odlin added, "Passage of S. 1698 was deemed to be so important to the future of banking that the broadest possible indication of banking's views was sought."

ABA is not registered under the 1964 Federal Regulation of Lobbying Act but it employed in 1965 six individuals who did register with Congress.

Law firms representing two of the merged banks exempted from antitrust prosecution under S. 1698 hired lobbyists to work for the bill. Manufacturers-Hanover Trust of New York employed the New York law firm of Simpson, Thatcher & Bartlett and Continental-Illinois National Bank & Trust Co. of Chicago employed the Chicago firm of Mayer, Friedlich, Spiess, Tierney, Brown & Platt of Chicago. The two law firms jointly hired two lobbyists to work for them on the bill—ex-Representative Rains and Laurence G. Henderson, a Senate committee aid in 1952–54.

The Mercantile Trust Co. of St. Louis, which S. 1698 would permit to be tried under the new bank merger standards set forth in the bill, hired the Washington, D.C., law firm of Miller & Chevalier to work for the legislation.

The St. Louis bank and its law firm, as well as Rains and Henderson, registered as lobbyists in 1965.

APPLAUDING RECENT ACTIONS BY BUREAU OF THE BUDGET

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. HENDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENDERSON. Mr. Speaker, it is indeed timely and fitting that the Director of the Bureau of the Budget, Hon. Charles Schultze, and his Deputy, Hon. Elmer Staats, be complimented on recent manpower management improvement actions by these able administrators.

I have been advised by Mr. Staats that the budget for the Department of Defense provides for 58,000 additional civilian spaces for the military services to replace able-bodied military men now in such support jobs as: chauffeurs, carpenters, painters, office equipment operators, and budget analysts with civil service personnel. These military-trained men, by returning to their combat units, will not only bolster our defense posture but also in time this program will save the Government several million dollars annually. This action by Bureau of the Budget officials is in accord with a request of the Manpower Subcommittee last August to the Secretary of Defense and to the Director of the Bureau of the Budget.

Mr. Staats also indicated that the Bureau's personnel ceiling control policy has been revised so that temporary, part-time, and intermittent employment are no longer under a specific numerical ceiling. This change will give the Government's managers some greater flexibility in handling their personnel problems. In a request to the Director of the Budget last April, I indicated that a change in personnel ceiling controls would also save the Government money. Several departments and agencies have so indicated this to the Manpower Subcommittee.

The Deputy Director of the Budget stated that action has also been taken in Defense, Post Office, and the General Services Administration to use Federal employees in lieu of contracting out for personal services. The subcommittee has determined from the experience of several Government activities that the

use of contractors to perform work normally handled by civil service workers is often more costly than in-house operations, but also the Government loses a definite control over the work. Frequently the subcommittee has been told by management officials of departments and agencies that limited civilian personnel ceilings have in the past been a major reason for contracting for work normally done by Government employees.

I applaud these progressive and realistic manpower moves by the Director of the Bureau of the Budget.

THE 37TH ANNIVERSARY OF LULAC

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, today, the organization popularly known as LULAC, the League of United Latin American Citizens, observes its 37th anniversary. Organized in Corpus Christi, Tex., February 17, 1929, the league has become one of the outstanding groups of our Nation for the fostering of good citizenship.

Because the national headquarters of the League of United Latin American Citizens is located in my city, El Paso, Tex.; because five of its past national presidents have been residents of my district; and because I have personally seen the results of this organization's many contributions toward good citizenship, I would like to call the attention of the House to LULAC's outstanding record.

The league carries on a constant program of citizenship classes, to aid prospective citizens of Latin American birth to become well grounded in fundamental principles of our Government before becoming naturalized. It conducts annual campaigns of voter registration and voter qualification.

In the field of education, the League of United Latin American Citizens did some important pioneering from which the whole Nation is today reaping rewards. In 1956, the LULAC's initiated what was called "The Little School of the 400"—to teach a basic 400 English words to 5-year-old children whose native language was other than English. The Texas State Legislature made the program statewide and appropriated funds for its financing. Today, a similar program, nationwide in its scope, is known as Project Headstart.

In the 1950's, the LULAC's also launched their nationwide campaign against the high school dropout problem. Coupled with this, they initiated an impressive program of college scholarships for promising youth of Latin American ancestry. The roll of young men and women who have completed college under this program is long and growing.

The LULAC's, through their many cultural events, fiestas, concerts, and folk dances, have taught all of us the graceful charm of Spanish America; and in doing so, have enriched our own culture to the benefit of all.

Mr. Speaker, the League of United Latin American Citizens, through its actions, has proved that racial prejudice disappears as education and good citizenship advance. For 37 years of solid progress in promoting these worthy aims, the League of United Latin American Citizens deserves the gratitude and respect of this great Nation.

HOWARD K. SMITH'S COMMENTARY ON THE WAR IN VITENAM

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, I would like to call to the attention of my colleagues an excellent commentary on the war in Vietnam and the role of the United States in this war. Howard K. Smith, internationally noted news commentator, reporter, and author, substituted for ABC Commentator Edward P. Morgan on February 11, 1966, and gave one of the finest interpretations I have yet to read in cogent form of the role of our country in Vietnam—why we are there, and why we must be there for our own good and that of the free world. It is truly a superb presentation, and I am pleased to offer it to my colleagues.

Mr. Smith, a native of my State of Louisiana and a fellow student at Tulane University 30 years ago, takes up the oft-quoted cliches of the opponent's of our policy and actions in Vietnam, and refutes them with logical clear analysis—analysis based on the experience of history.

Therefore, Mr. Speaker, I am pleased to insert into the RECORD this fine news commentary by my good friend, Howard K. Smith. The commentary, broadcast on February 11, 1966, follows:

EDWARD P. MORGAN AND THE NEWS,
FEBRUARY 11, 1966

(Howard K. Smith substituting for Edward P. Morgan)

The chief event in Washington this week has been the hearings on Vietnam in the Senate Foreign Relations Committee. The committee, and the public, have heard two witnesses fairly critical of what we are actually doing in Vietnam. Next week, Secretary of State Rusk and Gen. Maxwell Taylor will appear before the committee and refute some of the points made this week by Gavin and Kennan. But a long weekend will have passed. The North Vietnamese will have time to nourish a little more the only belief sustaining them—that America is seriously split; and the administration has no answers to critics' points. As many of the points made by critics are extremely doubtful, I beg to suggest the case against them.

One statement, made so often in the hearings, that it is becoming an accepted cliche is: America is trying to police the whole world, and we can't do it. The truth is, America's actions have been highly selective. There was for some years a war in the Congo. We took no part. There was a severe crisis in Cyprus that nearly sent our allies Greece and Turkey, to war. We took no leading part in it. The Rhodesian crisis is being left to Britain, though as a loyal ally we give moral support. There is a threatened crisis between Israel and Jordan over use of Jordan river waters. We have said no word and are in no way planning to intercede. The list could be lengthened. There is simply no evidence whatever for the cliche that we are being the universal policeman.

Another proposition stated so often that people are tired questioning it is—It was a tragic blunder to get committed in South Vietnam in the first place. Well, take your mind back to when we did, 1954, and think about it. A war by a minority of Communist guerrillas was raging in Malaya, south of Vietnam. Nearby in Burma guerrilla raids from China were being made. Had we refused to intercede and give South Vietnam help, Malaya might might well have gone Communist, Burma as well—and the small, weaker countries in Asia. India would be in much greater peril and the world situation much more unstable and dangerous than it is. And, incidentally, an American administration that refused to face up to a responsibility that important would have had a hard time from the American voters.

Both General Gavin and Mr. Kennan questioned that South Vietnam is an important commitment at all. They are certainly right that it does not rank with, say, Japan, or with Berlin. The loss of either of those would truly carry the cold war to dangerous new dimensions. But South Vietnam remains very important indeed. The struggle going on is actually for all the southeast Asian peninsula, which is of great importance.

Next to South Vietnam, Laos and Cambodia are both riddled with guerrilla bands, passive, waiting for victory in South Vietnam before they take over those countries. In Thailand, south of them, the Vietcong are not hiding their preparation. Peiping radio announces once a week its plans to secure the takeover of Thailand. If we were not resisting in Vietnam, we would certainly soon have to fight in those other places, deep inland, with long supply routes, and at every disadvantage. By resisting where we are we have the 7th U.S. Fleet, the world's strongest, able to give constant artillery and air support to troops—which it could not do inland—and we have short and well-protected supply routes from the coast. There is no doubt that we have chosen the, for us, most advantageous, least costly, place to make the stand. So, Vietnam is a very important commitment indeed.

Both witnesses have vigorously disagreed with the domino theory—the idea that if one nation falls, the others topple in a long line. But nobody has refuted the facts of political life: Success at conquest is infectious among greedy dictators. They need foreign success to divert attention from the fact that they do very badly at home. There is no doubt that a triumph in one place stimulates the urge to try it elsewhere, and if we leave Vietnam to them, it can lead to setbacks nearly as great as China turning Communist in the first place.

One of the strongest myths of the time is—Let South Vietnam go to the Communists. It will not be China's puppet. It will be as independent of China as Russia's satellites are of Russia. The answer to that is—do not overestimate the independence of Russia's satellites. Hardly one of them can fire 10 rounds without ammunition from Russia, or fix a tank or plane without parts from Russia. What independence they have is very modest and very limited.

In the one important case where a satellite flouted Russia outright—Tito—the prime condition for success was—America was near-

by, dominating the Mediterranean and would equip Tito for a mountain war of infinite duration. Those who assure us if we let Vietnam go it will be independent, also insist that we eliminate the one condition that makes a degree of independence possible—American resistance.

Senator FULBRIGHT'S office announced today he had received 5,000 letters due to last week's hearings. He interpreted that to mean a vote of confidence in him. In a nation of 195 million, there is a different way of interpreting that. It may mean there are 194 million plus votes that he isn't getting.

This is Howard K. Smith in Washington.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 1 hour, on February 23; and to revise and extend his remarks and include extraneous matter.

Mr. PATMAN, for 1 hour, on February 24; and to revise and extend his remarks and include extraneous matter.

Mr. VANIK (at the request of Mr. PATMAN), for 1 hour, on February 23; and to revise and extend his remarks and include extraneous matter, immediately following Mr. PATMAN.

Mr. VANIK (at the request of Mr. PATMAN), for 1 hour, on February 24; and to revise and extend his remarks and include extraneous matter immediately following Mr. PATMAN.

Mr. WAGGONNER, for 20 minutes, today, and to revise and extend his remarks.

Mr. GROSS, for 30 minutes, on Monday, February 21.

Mr. FEIGHAN, for 10 minutes, today; and to revise and extend his remarks.

Mr. PUCINSKI, for 15 minutes, today.

Mr. QUIE (at the request of Mr. GROSS) for 5 minutes, February 21; and to revise and extend his remarks and include extraneous material.

Mr. FOGARTY (at the request of Mr. DE LA GARZA), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. HOWARD.

(The following Member (at the request of Mr. GROSS) and to include extraneous matter:)

Mr. RUMSFELD.

(The following Member (at the request of Mr. DE LA GARZA) and to include extraneous matter:)

Mr. MORRISON in two instances.

ADJOURNMENT

Mr. DE LA GARZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until Monday, February 21, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2053. A letter from the Acting Secretary of Agriculture, transmitting the annual report showing quantities of commodities on hand, sales and disposition methods used, and quantities of CCC commodities moved into consumption channels, pursuant to section 201(b), Public Law 540, 84th Congress; to the Committee on Agriculture.

2054. A letter from the Assistant Chief of Navy Material (Procurement), transmitting the semiannual report of research and development procurement actions of $50,000 and over, for the period July 1 through December 31, 1965, pursuant to the provisions of 10 U.S.C. 2357; to the Committee on Armed Services.

2055. A letter from the Assistant Secretary of the Interior, transmitting copies of proposed amendments extending the concession contracts of several applicants, pursuant to section 5, Public Law 89–249; to the Committee on Interior and Insular Affairs.

2056. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries of such petitions third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2057. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to remove the restrictions on charges for certain narcotic order forms; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER: Committee on Science and Astronautics. S. 774. An act to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States; with an amendment (Rept. No. 1291). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 736. Resolution providing for the consideration of H.R. 12752, a bill to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes; without amendment (Rept. No. 1292). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FEIGHAN:

H.R. 12888. A bill to assist city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in these areas; to the Committee on Banking and Currency.

Mr. RIVERS of South Carolina:

H.R. 12889. A bill to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. ABERNETHY:

H.R. 12890. A bill to amend the Agricultural Act of 1949, as amended; to the Committee on Agriculture.

By Mr. BINGHAM:

H.R. 12891. A bill designed to prevent crimes of intimidation, violence, and murder against Negroes and civil rights workers lawfully seeking to enforce the Constitution; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 12892. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 12893. A bill to amend the Social Security Act to establish a national system of minimum retirement payments for all aged, blind, and disabled individuals; to the Committee on Ways and Means.

By Mr. DOW:

H.R. 12894. A bill to provide a special milk program for children; to the Committee on Agriculture.

By Mr. DYAL:

H.R. 12895. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 12896. A bill to strengthen intergovernmental relations by improving cooperation and the coordination of federally aided activities between the Federal, State, and local levels of government; to provide for uniform and equitable relocation procedures under Federal and Federal grant-in-aid programs, and for other purposes; to the Committee on Government Operations.

By Mr. FINO:

H.R. 12897. A bill to amend the Public Health Service Act to establish a program under which States may be assisted in developing programs for the detection of the illegal use of drugs by students; to the Committee on Interstate and Foreign Commerce.

By Mr. GILBERT:

H.R. 12898. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. GURNEY:

H.R. 12899. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McCARTHY:

H.R. 12900. A bill to amend Public Law 660, 86th Congress, to establish a National Traffic Safety Agency to provide national leadership to reduce traffic accident losses by means of intensive research and vigorous application of findings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MACHEN:

H.R. 12901. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for certain nonreimbursable expenses incurred by volunteer firemen; to the Committee on Ways and Means.

By Mr. MILLER:

H.R. 12902. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. MINSHALL:

H.R. 12903. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes; to the Committee on Agriculture.

By Mr. MULTER:

H.R. 12904. A bill to provide that the Board of Directors of the Federal Deposit Insurance Corporation shall consist of three appointive members, and for other purposes; to the Committee on Banking and Currency.

H.R. 12905. A bill to amend Pulbic Law 660, 86th Congress, to establish a National Traffic Safety Agency to provide national leadership to reduce traffic accident losses by means of intensive research and vigorous application of findings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. POFF:

H.R. 12906. A bill to amend the Internal Revenue Code of 1954 to provide interest on certain amounts withheld from wages and certain estimated payments of tax for purposes of the Federal income tax; to the Committee on Ways and Means.

By Mr. QUIE:

H.R. 12907. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

By Mr. RACE:

H.R. 12908. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. RESNICK:

H.R. 12909. A bill to amend title 10 of the United States Code to prohibit the purchase by the United States of arms and ammunition from foreign firms which have used slave labor, unless compensation has been made to the individuals involved or their heirs; to the Committee on Armed Services.

H.R. 12910. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. RODINO:

H.R. 12911. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 12912. A bill to provide that the Secretary of the Army shall acquire additional land for the Beverly National Cemetery, N.J.; to the Committee on Interior and Insular Affairs.

H.R. 12913. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Texas:

H.R. 12914. A bill to amend the Communications Act of 1934 to prohibit the Federal Communications Commission from exercising jurisdiction over the reception of radio signals, communications, and transmissions; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN:

H.R. 12915. A bill to amend the Housing Act of 1949 to remove the 12.5 percentage limit on the amount of assistance which may be provided thereunder for urban renewal in any one State; to the Committee on Banking and Currency.

By Mr. STAGGERS:

H.R. 12916. A bill to amend section 208(c) of the Interstate Commerce Act to provide that certificates issued in the future to motor common carriers of passengers shall not confer, as an incident to the grant of regular route authority, the right to engage in special or charter operations; to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS:

H.R. 12917. A bill to extend the period within which certain consolidated corporate income tax returns may be filed; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 12918. A bill to authorize grants under section 701 of the Housing Act of 1954 to encourage regional solutions to transportation problems which transcend State boundaries, to authorize grants under the Mass Transportation Act of 1964 on a temporary basis to help defray operating deficits incurred in commuter service, and for other purposes; to the Committee on Banking and Currency.

By Mr. McVICKER:

H. Res. 737. Resolution relating to nonproliferation of nuclear weapons; to the Committee on Foreign Affairs.

By Mr. WAGGONNER:

H. Res. 738. Resolution authorizing the Committee on Un-American Activities to conduct certain investigations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. POLANCO-ABREU:

H.R. 12919. A bill for the relief of Daniel Pernas Beceiro; to the Committee on the Judiciary.

By Mr. WELTNER:

H.R. 12920. A bill for the relief of Alexander Francis Saker, M.D.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

327. By the SPEAKER: Petition of chairman, Young Democratic Southeastern Alaska District Committee, box 1125, Ketchikan, Alaska, relative to salmon canneries in Alaska; to the Committee on Interior and Insular Affairs.

328. Also, petition of Fak, Chom Sun, No. 7–78 Yongchon-dong, Sodaemun Ku, Seoul, Korea, relative to compensation for the death of her husband; to the Committee on Foreign Affairs.

329. Also, petition of Charles E. Murphy, 5128½ North Muscatel Avenue, San Gabriel, Calif., and others, relative to awarding a pension to veterans of World War I; to the Committee on Veterans' Affairs.

SENATE

THURSDAY, FEBRUARY 17, 1966

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Haskell R. Deal, D.D., minister, Eldbrooke Methodist Church, Washington, D.C., offered the following prayer:

Almighty and eternal God, we come before Thee with humility and gratitude, as we look to Thee from this dedicated memorial of Thy great mercy and guidance; Thy power, guidance, and grace have sustained us in all our history.

Make us sensitive to Thy great providence upon our great land, and to our sacred trust in entering the great tradition of those before us, into whose labors we are entered. Let the light of the honor and sacredness of this place shine throughout our land, keeping alive, in all our people, faith in our dedication to the honor and dignity of human life everywhere.

Great God of wisdom and truth, bless the memory of those who have given themselves in service and honor at this altar of service to our Nation, and have made these walls sacred by their patriotism and devotions. Give to us, we beseech Thee, in these challenging days, that same wisdom and strength manifested in those who have gone before us. Sustain us by Thy wisdom, grace, and truth, through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. METCALF, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 16, 1966, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Rear Adm. Willard J. Smith, U.S. Coast Guard, to be Commandant of the U.S. Coast Guard with the rank of admiral, which was referred to the Committee on Commerce.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills and joint resolution of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 251. An act to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes;

S. 577. An act for the relief of Mary F. Morse;

S. 851. An act for the relief of M. Sgt. Bernard L. LaMountain, U.S. Air Force (retired);

S. 1520. An act for the relief of Mr. and Mrs. Earl Harwell Hogan; and

S.J. Res. 9. Joint resolution to cancel any unpaid reimbursable construction costs of the Wind River Indian irrigation project, Wyoming, chargeable against certain non-Indian lands.

The message also announced that the House had passed the following bills, in